

NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

PARLIAMENTARY RECORD

Tuesday 14 February 1989
Wednesday 15 February 1989
Thursday 16 February 1989

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Speaker	Roger William Stanley Vale
Chief Minister Treasurer	Marshall Bruce Perron
Opposition Leader	Terence Edward Smith
Deputy Chief Minister Minister for Mines and Energy Minister for Industries and Development	Barry Francis Coulter
Attorney-General Minister for Lands and Housing Minister for Conservation	Daryl William Manzie
Minister for Health and Community Services	Donald Francis Dale
Minister for Education Minister Assisting the Chief Minister on Constitutional Development	Tom Harris
Minister for Transport and Works	Frederick Arthur Finch
Minister for Labour, Administrative Services and Local Government	Terence Robert McCarthy
Minister for Tourism Minister Assisting the Chief Minister on Central Australian Affairs	Eric Houguet Poole
Minister for Primary Industry and Fisheries	Michael Anthony Reed

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MEMBERS OF THE LEGISLATIVE ASSEMBLY

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Mr S.P. Hatton ✓
Mr W.W. Lanhupuy
Mr R.A. Setter

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Mr W.W. Lanhupuy
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Mr M.J. Palmer ✓

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Sessional Committee - New Parliament House

Mr Speaker
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Mr W.W. Lanhupuy
Mr D.M. Leo
Mr R.A. Setter

PART I

DEBATES

DEBATES

Tuesday 14 February 1989

Mr Speaker Vale took the Chair at 10 am.

PETITIONS

Strip Shows on Licensed Premises

Mr FIRMIN (Ludmilla): Mr Speaker, I present a petition from 19 citizens of the Northern Territory praying that the Legislative Assembly legislate to remove strip shows out of the hotel industry. 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 Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens respectfully showeth that they are opposed to the proliferation of strip shows and the use of bare-breasted waitresses in hotels and restaurants. These activities are degrading to women and family life as well as to those who participate. Sexual abuse in family environments is rampant in our society. These activities only exacerbate the problem thus undermining family life. Your petitioners therefore humbly pray that the Legislative Assembly of the Northern Territory will remove strip shows out of the hotel industry and will formulate a code of ethics enforceable by law against licensed places offering strip shows.

Emergency Medical Centre for Palmerston

Mr SMITH (Opposition Leader): Mr Speaker, I present a petition from 1812 residents of Palmerston and the adjoining rural areas praying that the government establish a 24-hour accident/emergency treatment centre in the immediate vicinity of the city of Palmerston and its rural environs. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, 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 1812 citizens of the Northern Territory respectfully showeth that residents of the city of Palmerston and residents of the adjoining rural areas of Darwin do not have adequate access to a 24-hour accident/emergency treatment centre, the provision of which is deemed a government responsibility. Your petitioners therefore humbly pray that the Legislative Assembly take urgent government-funded action to establish within the immediate vicinity of the city of Palmerston and rural environs such a centre or centres for the provision of a 24-hour accident and emergency treatment.

POINT OF ORDER

Request to Table Report under Standing Order 255

Mr EDE: A point of order, Mr Speaker! As I mentioned earlier, in answering a question from the member from Jingili today, the Minister for

Education clearly quoted from a document relating to public affairs: the report of a working party established by the minister to inquire into school fees. Unless the minister intends to claim confidentiality, I require him to table the document. I am not referring to a couple of pieces of paper that he has but to the actual document.

Mr Smith: That is right. He has to table the document.

Members interjecting.

Mr SPEAKER: Order! The member for Stuart will be heard in silence.

Mr EDE: Mr Speaker, there is a full report to which the minister referred and that is the document that I wish him to table. Unless he wishes to claim confidentiality, he is required to table that document under standing order 255 if requested to do so.

Mr HARRIS: I have made it very clear that the government has noted a report that will be studied further by the government and I have no problem with bringing that report into the Assembly at some stage. In answering the question, I was using sections of that paper.

Mr Smith: That is right.

Mr HARRIS: I have little bits and pieces relating to the recommendations. The honourable member is aware of the recommendations that I am referring to.

Mr DONDAS: Mr Speaker, standing order 255 is quite clear. It states: 'A document relating to public affairs quoted from by a minister ...'

Mr Ede: That is right.

Mr DONDAS: He was not quoting from the report.

Mr Smith: Rubbish!

Mr DONDAS: Mr Speaker, the Minister for Education did not quote from a report. He quoted from some pieces of paper that he has on his table. The report is not there.

Members interjecting.

Mr SPEAKER: Order! I have been asked to rule on a point of order and all honourable members are making it extremely difficult for myself and the Clerk to hear the points of view that are being expressed.

Mr SMITH: Mr Speaker, I thank the member for Casuarina for his support for our argument. Standing order 255 says quite clearly that, when a minister quotes from a report, he shall table that report.

Mr Perron: A document, not a report.

Mr SMITH: The document that he was quoting from was the report prepared by the working party that he established to inquire into school fees in the Northern Territory. He spent 10 minutes in question time apparently quoting selectively from various parts of that report. He has a clear choice. Either he can run for coward's castle and say that it is a confidential report or he can table the entire document. That is the choice that he has.

Mr DALE: Mr Speaker, quite clearly, the Minister for Education was giving a resume of the recommendations contained in a report that he has in his possession, but not with him in the Assembly today. He made some copious notes so that he could be accurate in providing to this Assembly a resume of what is in the report. He was not quoting from the report. He quoted from the notes that he has in front of him and I am certain that he will be quite happy to table those notes.

Mr LEO: Mr Speaker, nobody on the government benches has denied that the report from the working party on school fees exists. The minister has not denied that he was quoting from sections of that report. Those are the facts of life. It is all very well for the Minister for Health and Community Services to say that the minister was quoting from sections of that report. It does not matter; he was quoting from that report. He was not making comments on that report. He was using the words written in that report. In fact, he said, 'I quote from the report', and then read from it. Standing order 255 of this Assembly obliges him to table that report if requested to do so except if he claims confidentiality. If he makes that claim, that is fine and be it on his head. Other than that, he is obliged to table the entire report.

Mr SPEAKER: May I ask the minister whether he is prepared to table the papers from which he was quoting this morning?

Mr HARRIS: Mr Speaker, I have no problem with tabling the papers that I have before me.. There are only a couple there in relation to those recommendations. I do not know what the big hassle is about because, at some stage, the report will come before this Assembly.

Mr Ede: We want it now.

Mr HARRIS: It is not completed as a total report.

Mr Speaker, I have made it very clear this morning that there are still aspects of the report which require further investigation and I am having that matter examined. We are trying to address the matter responsibly. All the opposition is trying to do is to obtain political mileage rather than looking at the issue responsibly.

Mr SPEAKER: Order! Will the minister table the documents?

Mr HARRIS: Yes.

TABLED PAPER

Report of Auditor-General on Prescribed Statutory Corporations

Mr SPEAKER: Honourable members, I lay on the Table a report of the Auditor-General on prescribed statutory corporations for the year ended 30 June 1988.

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

Motion agreed to.

POINT OF ORDER
Speaker's Ruling

Mr SMITH: A point of order, Mr Speaker! On a point of order raised by my colleague, you were asked to rule on whether the Minister for Education was required by standing order 255 to table the full report of the working party that he set up to examine school fees. We have not received your ruling.

Mr SPEAKER: Honourable members, following the request of the member for Stuart, I asked the Minister for Education to table the documents from which he was quoting. I am satisfied that that has been done.

MOTION
Dissent From Speaker's Ruling

Mr SMITH (Opposition Leader): Mr Speaker, if that is the case, I move dissent from your ruling.

Mr Speaker, I will be brief. There is a basic principle involved here. In our view, standing order 255 is very clear. A requirement may be placed on a minister, who quotes from a document, to table not the section that he has quoted but the entire document. We believe that your ruling is contrary to the intention of standing order 255.

If that is not accepted as a basic operating procedure of this House, we will have a position whereby there will be suspicions that documents are being quoted from out of context. There will be suspicions that the full story has not been given. In this case, the minister opposite quoted at length from recommendations - not 1 paragraph, not 2 paragraphs, but 2 or 3 pages of recommendations from this working party's report. Territorians have an interest in this matter. Particularly at this time of year, there are thousands of parents who have an interest in school fees and they should be able to assess the full report. That is what standing order 255 is all about. If the minister wants to quote from a document to prove his case, in order to be fair to the parliament and to be fair to the public of the Northern Territory, that standing order requires him to table the entire document if requested to do so. Under standing order 255, he can claim confidentiality, and that is fine. However, if he does not do that, he has an obligation to table the entire report. Mr Speaker, that is why we have moved dissent from your ruling.

Mr DONDAS (Casuarina): Mr Speaker, as I said earlier, under standing order 255, the minister can be called on to table documents from which he is quoting. At your request, Mr Speaker, the honourable minister has already done that. He tabled those documents from which he was quoting during question time this morning. The Leader of the Opposition is trying to broaden the sphere of standing order 255 by stating that, if a minister quoted from a document in the archives, he could be required to obtain the microfiche from the archives and table it.

He is throwing up his hands and saying that is not what he means but that is exactly what he is asking the Minister for Education to do. Standing order 255 clearly states that, if the minister is called on to table papers from which he is quoting at the time, then he will do so. I believe the Minister for Education has done that this morning.

Mr Bell: It does not say 'at the time'. It says 'if required'.

Mr DONDAS: To pick up that point from the member for MacDonnell, that can be done under standing order 251. The member for MacDonnell probably has not looked at standing order 251 this morning. It says: 'Papers may be ordered to be laid before the Assembly and the Clerk shall communicate to the minister concerned all orders for papers made by the Assembly; and such papers when received shall be laid on the Table by the Clerk'. The Speaker did not ask for papers to be laid upon the Table other than those that were quoted from by the Minister for Education this morning.

Mr EDE (Stuart): Mr Speaker, I will be brief. All honourable members know of the power that ministers exercise in the parliamentary system. They have virtually unrestricted access to dorothy dixers from their backbenchers on any subject that they are in difficulty with in the public eye. In their answers to those questions, they are able to talk at great length on those subjects. One of the major problems with this is that of selective quoting. It is a great difficulty. The whole process of parliament can be diverted by a minister making selective quotes from a document or taking a report and extracting only those parts which back up the case which he is making whilst the remainder passes into oblivion.

That is the whole point of standing order 255. It is to prevent that from occurring. It is the recourse that members on this side of the House have to ensure that, when a minister uses a document or a report which he has had commissioned in order to back up his case, he will not quote selectively from it. It is to ensure that, if required by a member, he will table the full document before the House so that members may determine whether it has been quoted from selectively or whether the minister's remarks reflect the essence of the report. That is the point that we are making. The minister could have risen and said simply that he did not have the full report with him but that he would give it to us before lunch. We would have been quite happy about that. His office is situated across the road; it is not 10 miles away. The minister told us that the report had been brought down only in the last couple of weeks.

If, on the other hand, as the Leader of the Opposition said, the minister had said that it was confidential because it had to go before Cabinet but that he would give it to us later, that would have been in order. However, if he is to be allowed merely to table the little bits of papers that he actually read from and is not to be required to table the full document, that will allow any minister ...

Mr Dondas: He laid it on the Table. If you quote from a newspaper, do you table the whole newspaper?

Mr EDE: Hang on. This is very important. To give an extreme example, if this ruling stands, it would allow a minister, who has a 2-page letter with a heading at the top and a signature at the bottom, to quote from the second page and, in response to a request for the document to be tabled, he can slip the first page underneath and table the second page only.

Mr Speaker, that is the effect of your ruling. All he has to do is to table the actual piece of paper from which he quoted. Obviously, the word 'document' has a broader meaning than simply a piece of paper. A document refers to the total content that was quoted from. The intention is to prevent facts being quoted out of context. That is the reason why this requirement appears in the standing orders, and it is why we have moved a motion of dissent from your ruling.

Mr COULTER (Leader of Government Business): Mr Speaker, let me try to bring back some dignity to the proceedings of this House. We are told that crucial issues confront us relating to bread-and-butter concerns in the community. A ministerial statement on statehood is before the House yet we are debating, as if it were some sort of egg-laying competition, the matter of quoting from documents. This is not what the people of the Northern Territory want. As I understand it, there is no hard-and-fast ruling in relation to standing order 255, which follows the example of the House of Representatives. There have been many rulings where a minister has been able to table his speech notes only and, on other occasions, the document has had to be tabled. Let us come back to what the minister said. He said that he would table it. He did not say that he would not table it. He has said, in this case, that there are some areas of the document that require clarification and further work. Therefore, it is an unfinished document, and he will not table it at this stage.

Mr Smith: He should not quote from it then.

Mr COULTER: That might become the subject of a standing order if that is what the Leader of the Opposition would like to propose.

Mr Speaker, rulings have gone both ways on this particular issue. The minister has said that he will table the document. There is no secrecy. He said that the document is incomplete at this stage and that there are several issues which he intends to examine. When those matters are resolved satisfactorily, he will table the document. That is quite simple, Mr Speaker, but I appeal to all the members opposite to let us get on with the real issues affecting the Northern Territory and to stop wasting the time of this House. Mr Speaker, I move that the motion be put.

Motion agreed to.

Mr SPEAKER: The question is that the motion be agreed to.

The Assembly divided:

Ayes 6

Mr Bell
Mr Ede
Mr Lanhupuy
Mr Leo
Mr Smith
Mr Tipiloura

Noes 18

Mr Collins
Mr Coulter
Mr Dale
Mr Dondas
Mr Finch
Mr Firmin
Mr Floreani
Mr Harris
Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Perron
Mr Poole
Mr Reed
Mr Setter
Mr Tuxworth

Motion negatived.

PERSONAL EXPLANATION

Mr SMITH (Opposition Leader)(by leave): Mr Speaker, I wish to make a personal explanation in response to some comments made by the Deputy Chief Minister concerning correspondence between myself and Senator Richardson in respect of the proposed transmission line to Jabiru.

Mr Coulter: I didn't mention correspondence. I was talking about phone calls.

Mr SMITH: The facts are these. I believe that the day we are talking about was last Friday when there was widespread media speculation that a decision from Senator Richardson was imminent. In fact, some members of the media seemed to know that a letter had been sent. I contacted Senator Richardson's office last Friday. No one from Senator Richardson's office contacted me until the next morning and the explanation given at that time was that Senator Richardson and his office were not prepared to communicate with the opposition in the Northern Territory until they were assured that the minister had received the letter that was sent to him. I make this personal explanation to correct the record, particularly in respect of any possible reflection on Senator Richardson's staff or on Senator Richardson himself.

TABLED PAPERS

Publications Committee - Eighth Report

Mr SETTER (Jingili): Mr Speaker, I table the Eighth Report of the Publications Committee and move that the report be adopted.

Motion agreed to.

Subordinate Legislation and Tabled Papers Committee
Ninth Report

Mr SETTER (Jingili): Mr Speaker, I table the Ninth Report of the Subordinate Legislation and Tabled Papers Committee.

STATEMENT

Constitutional Development - Further Transfer of Powers

Mr PERRON (Chief Minister): Mr Speaker, honourable members on both sides of this House have taken a keen interest in the continuing process of constitutional development in the Northern Territory. I am pleased to say that to date there has been solid bipartisan support for this process and that the Select Committee on Constitutional Development has continued to address some of the more important issues. I would expect that this House would be of the unanimous view that the constitutional evolution of the Territory, which began in 1974 with the creation of a fully-elected Legislative Assembly, must continue.

Self-government has clearly been successful. It was the basis for profound changes in the Northern Territory which ushered in a period of unprecedented growth. I believe that Territorians can be proud of what they have achieved over recent years. At the same time, however, we continue to suffer frustration because of the limitations placed on us by the self-government agreements. There are areas of responsibility which, logically, the Territory should administer but which have not yet been

transferred. In effect, we have a limited form of self-government under which Territorians do not have the same degree of say over their own affairs as do other Australians. This situation is not sustainable. Why should the Territory not have the same responsibilities and obligations as the states? Why should we be less than equal with other Australians? We have had over 10 years in which to show that we are capable of managing government responsibly, and no one can deny our success.

The transfer of a range of remaining state-type responsibilities to the Northern Territory is the next logical step in the process of constitutional evolution. There is no logical or sustainable argument for continuing to treat Territorians as less than equal Australians. Our current arrangements have a touch of the absurd. We can appoint Supreme Court judges for life. We have responsibility for the safety and the protection of the Territory community but we are denied responsibility for a handful of rangers in 2 national parks which are of vital interest to the Territory. There is simply no logic in the current arrangements. We are said to have self-government - let us have it in full and let us have it now.

I would like to inform honourable members of the direction which the government has decided to take in seeking the further constitutional development of the Territory. I have written to the Prime Minister seeking to put to him an agenda for the further transfer of powers from the Commonwealth to the Territory. I have asked the Prime Minister for an early meeting so that I may outline this agenda to him and propose a timetable to achieve it. Given the commitment of this House to the constitutional development of the Territory, it goes without saying that I will expect full and unqualified support for this approach. It is an approach which is pragmatic and realistic and which is designed to accelerate progress in this area. I can inform honourable members that the Country Liberal Party has considered this approach to constitutional development and I am pleased to say that it has given its total support to it.

This is one of the most important issues facing the Territory community in the months ahead. I would like, therefore, to inform honourable members of the range of matters which the government has identified as appropriate for a further transfer of powers agenda and which we believe should now be addressed. I will outline those issues which we will be putting to the Commonwealth for resolution in a program of further transfers of powers to the Territory, and they are listed alphabetically.

A. The appointment of the Administrator: The government will propose that the Administrator for the Northern Territory should be appointed by the Governor-General only after consultation with the Northern Territory and that federal legislation should be amended to provide for this.

Under current arrangements, the Administrator is appointed by the Governor-General on the advice of the Commonwealth. There is no legal obligation for it first to consult with the Northern Territory. While there may be constitutional difficulties with the requirement that the Governor-General be advised on the appointment by the Northern Territory government, there are no similar difficulties with a requirement that the Commonwealth must first consult with the Territory. There is, for example, the requirement under the High Court of Australia Act that the Commonwealth Attorney-General consult with the states on High Court appointments. Of course, it will not be possible to provide for appointment of the Administrator by the Queen until statehood is attained.

B. Powers of the Commonwealth minister to instruct the Administrator: In the government's view, the power of the Commonwealth minister to instruct the Administrator of the Northern Territory should be removed.

The Administrator is bound to exercise his powers in accordance with his commission and the instructions of the relevant Commonwealth minister except in the case of transferred matters and the appointment and designation of Territory ministers under section 32(3) of the Northern Territory (Self-Government) Act. This power to instruct relates to the extent to which some areas of responsibility have not been transferred to the Northern Territory and includes matters relating to the mining of uranium, rights to land under the Aboriginal Land Rights (Northern Territory) Act, the calling of Northern Territory elections, fixing sessions of the Legislative Assembly and prorogation. The deletion of the power of the Commonwealth minister to instruct would flow from the transfer of these further areas of responsibility to the Northern Territory.

C. Northern Territory laws - reservation and disallowance: The power of the Administrator to reserve bills for the Governor-General's pleasure and the power of the Governor-General to disallow any Northern Territory laws assented to by the Administrator should be removed, and the government will press for this.

The Administrator may reserve any Northern Territory law which, in whole or part, deals with a non-transferred matter and he can be directed by the Commonwealth minister to do so [Northern Territory (Self-Government) Act, sections 7(2) and 8]. Moreover, the Governor-General may disallow any Northern Territory law assented to by the Administrator within 6 months [section 9]. Of course, the deletion of the power of reservation is linked to the transfer of further powers to the Territory. The power of disallowance has not been exercised by the Commonwealth since self-government but legally it remains available. Powers of reservation and disallowance in the states effectively have been abolished by the Australia Act. The Northern Territory should be placed on the same basis.

D. National parks: Administration and control of the 2 existing national parks in the Territory should be transferred to the Northern Territory.

There are 2 national parks in the Territory - Kakadu, which includes the town of Jabiru, and Uluru. They are either on Aboriginal land leased to the Director of the Australian National Parks and Wildlife Service or on land vested in the director. The director is assisted by a board in Uluru. The National Parks and Wildlife Conservation Act of the Commonwealth under which the 2 parks were created and the associated regulations have unique application in the Northern Territory. There are no other mainland national parks established and administered in this manner anywhere in Australia. Already, the Northern Territory government has a grant of executive authority in the matter of parks and reserves. It would be possible by amendment of the Commonwealth act to transfer these 2 parks to the Northern Territory. Existing sub-interests and contracts could also be transferred.

E. Uranium: (i) The ownership of uranium and other prescribed substances as defined in the Atomic Energy Act and located within the Northern Territory should be transferred to the Territory.

Unlike the position in the states, ownership of uranium and other prescribed substances in the Northern Territory remains with the Commonwealth. Notwithstanding this, by agreement with the Commonwealth, mining leases were

granted under Northern Territory law to Pancontinental and Queensland Mines. The Northern Territory does not have appropriate executive authority. The Commonwealth receives the royalties from uranium mining in the Territory but pays only partial reimbursement to the Northern Territory. By amending the Atomic Energy Act, it would be possible to vest ownership of uranium and other prescribed substances in the Northern Territory. The Northern Territory would then be entitled to receive the royalties. At the same time, the self-government regulations could be amended to give Territory ministers executive authority.

(ii) The Ranger authority and associated agreements should be transferred to the Northern Territory.

The Ranger authority was granted by the Commonwealth under the Atomic Energy Act. There are a number of associated agreements between the Commonwealth, the joint venturers, the NLC and the Director of the ANPWS. Commonwealth legislation would be required to transfer this authority to the Northern Territory, to be treated as if it was granted under Territory law and to novate the various agreements. The existing Commonwealth liability to make payments to the NLC and the effect of current litigation concerning that liability would need to be taken into account and the Northern Territory could be indemnified.

F. Minerals on Commonwealth land: The ownership of minerals on Commonwealth-owned land should be transferred to the Territory.

When the Commonwealth reacquired areas of land within the Northern Territory following self-government, it also acquired the minerals. The Commonwealth retained its title to these minerals, even where the land was subsequently granted as Aboriginal land or where it became a national park. The Commonwealth owns the land and minerals in the conservation zone adjacent to Kakadu National Park stage 3.

The Commonwealth has amended the Lands Acquisition Act to facilitate the grant by it of mining titles, with power to override earlier Territory mining titles. It would be possible to transfer the Commonwealth-owned land and minerals, or alternatively those minerals alone, back to the Northern Territory without compensation, as has already been done in one case, and for all mining titles thereafter to be issued under Territory law.

G. The Gove Nabalco agreement: The Gove Nabalco agreement should be renegotiated so as to introduce the Northern Territory as a party to it and to secure the long-term future of the town of Nhulunbuy.

The parties to the Gove Nabalco agreement are the Commonwealth and the Nabalco joint venturers. However, since self-government, the minerals belong to the Northern Territory and the special mineral lease and special purposes leases are held from the Northern Territory. The agreement should have been transferred to the Northern Territory (with appropriate amendments) at the time of self-government, but was not. The present position is inconsistent with self-government. Renegotiations would involve the Commonwealth, the Northern Territory, the joint venturers and the Aboriginals. It should seek to ensure the continuation of the mine and the long-term future of the town after mining ceases.

H. Industrial relations: The Northern Territory should have power to establish a Territory system of industrial relations.

Under section 53 of the Northern Territory (Self-Government) Act, the Commonwealth industrial system is extended to the Northern Territory, including for purely intra-Territory industrial awards and related matters. The Legislative Assembly has only a very limited grant of legislative power in this matter although ministers of the Territory have executive authority in labour relations. The grant of full legislative power for the Northern Territory can be achieved by amendment of the relevant Commonwealth legislation. I point out that it is not essential for us to determine and implement a Northern Territory industrial relations system at the time such a power is transferred. We seek the authority to do so when we are ready to.

I. Land matters - Commonwealth land: All Commonwealth land in the Northern Territory, not held for genuinely federal-type purposes, should be transferred to the Territory without cost.

At self-government, the basic title to all land in the Territory was automatically transferred to the new Northern Territory body politic. However, the Commonwealth was given 12 months within which to acquire back a fee simple interest without compensation. The most notable example of this reacquisition was in the Alligator Rivers region. Most of the land acquired has since been granted as Aboriginal land or vested in the director of national parks. Some Commonwealth-owned land remains in the region including some public roads and the conservation zone. Other Commonwealth-owned land elsewhere in the Territory is being identified to establish whether it is required for genuinely federal-type purposes.

J. Ashmore and Cartier Islands: The island territory of Ashmore and Cartier should be reincorporated with the Northern Territory.

Prior to self-government, this island territory was deemed to form part of the Northern Territory. The connection was removed at self-government but most Territory laws still apply there. The island territory carries with it its own adjacent area under offshore petroleum legislation for which the Northern Territory minister is the designated authority but without any entitlement to royalties. An Ashmore Reef National Nature Reserve has been proclaimed over the islands and surrounding seas under the National Parks and Wildlife Conservation Act. The island territory could be reincorporated as part of the Northern Territory by amendments to Commonwealth legislation. Arrangements would have to be made with the Commonwealth as to patrols and surveillance.

K. Environmental legislation: Commonwealth environmental legislation of particular application to the Territory should be repealed and replaced by Territory legislation if appropriate.

Apart from the special application of the National Parks and Wildlife Conservation Act and Regulations in the Territory, the Commonwealth parliament has enacted the Environment Protection (Alligator Rivers Region) Act 1978, establishing the Office of the Supervising Scientist, the Alligator Rivers Region Research Institute and the Coordinating Committee for the Region, and the Environment Protection (Northern Territory Supreme Court) Act of 1978. This legislation, in its special application to the Territory, could be repealed and replaced by Northern Territory legislation. Existing financial reimbursement arrangements between the Commonwealth and the Northern Territory for environmental monitoring of uranium mining under Territory laws would require reconsideration.

L. Land matters - Aboriginal land: (i) The Aboriginal Land Rights (Northern Territory) Act should be patriated to the Northern Territory.

This act is presently an act of the Commonwealth parliament although it permits the enactment of Territory legislation on a limited range of subjects. Patriation should be achieved by repealing the Commonwealth act and by the Legislative Assembly enacting a new act to come into operation contemporaneously with the repeal. The self-government regulations should also be amended to give Territory ministers executive authority in the area of land rights.

(ii) Consideration will also need to be given to the provisions to be included in the patriated Land Rights Act.

M. Federal representation - numbers: The Northern Territory should be granted additional federal representation of 2 Senators and 1 member of the House of Representatives immediately and without prejudice to the eventual level of representation on statehood.

At present, under the Commonwealth Electoral Act, the Northern Territory has 2 senators and 1 member of the House of Representatives. The Constitutional Commission, in its first report, recommended an amendment to the Constitution to give territories and new states membership in the House of Representatives only in accordance with the population quota, subject to a minimum of 1 for the Northern Territory. It also recommended that territories and new states have 1 Senator for every 2 MHRs subject to a minimum of 2 Senators for the Territory. This proposal would not provide for equal federal representation for the Northern Territory on statehood. It has not been implemented.

The Electoral and Referendum Amendment Bill 1988, now before the Senate, proposes to amend the Commonwealth Electoral Act to place the Northern Territory on the quota for membership of the House of Representatives whilst preserving its existing membership. The Northern Territory will preserve its existing Senate representation but will not receive an additional Senator until its population equals 6 quotas. The Northern Territory opposes this proposed legislation. There is no constitutional obligation to grant a Commonwealth territory any federal representation, nor is there any expressed numerical limit on that representation.

N. Federal representation - rotation of term: Northern Territory Senate representation should be rotated on a fixed-term basis as occurs in the case of Senators from the states.

At present, the 2 Senators for the Northern Territory are both elected at each general election for the federal parliament. State Senators hold office for fixed terms of 6 years, rotating 3 years about, subject to double dissolutions. Northern Territory Senate representation of 4 Senators should provide for the same fixed term and rotation.

Mr Speaker, we have worked diligently, largely behind the scenes, and we know what we want. There is a range of steps which can and should be taken now. There is no constitutional, legal, administrative, political or financial justification for delay. I will be putting to the Prime Minister that this agenda can and should be achieved by 1 July 1990. I am satisfied that this timetable is achievable with the appropriate sense of commitment and urgency from Canberra. Clearly, the outspoken support of this House for this agenda and timetable would assist in generating that sense of commitment and urgency, and I look to this House for that support.

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

The Leader of the Opposition yesterday commented on this matter somewhat unfavourably. Speaking in relation to the matter of early transfer of powers, he said basically that we should wait for statehood, possibly 12 years away. When he responds to this statement, I would like him to specify his objections to the Northern Territory government assuming control of national parks in 1990. For 10 years, the Northern Territory has been administering a public service which now numbers 15 000. We spend about \$1500m a year. We have the control of some 600 or 700 police in the Northern Territory administering law and order. We have the power to appoint, and do appoint, Supreme Court judges for life, which I think is one of the heaviest responsibilities that we have. We are given responsibility for all those things but not for the 32 rangers currently employed by the ANPWS in managing the Kakadu and Uluru National Parks. I want to know what arguments the Leader of the Opposition has against the handover of that responsibility next year.

We have responsibility for the administration of 40 000 land titles in the Northern Territory. We have responsibility for 6600 mining titles in the Northern Territory. However, the Leader of the Opposition has said that we should not promptly be given responsibility for the administration of a handful of titles to Aboriginal land. We have executive authority over the higher and lower courts in the Territory. I invite the Leader of the Opposition to explain why we can have responsibility to deal with 5 Supreme Court judges and a judicial system covering every aspect of law from grand larceny to rape, murder, kidnapping, hijack and terrorism whilst not having responsibility for Aboriginal land claims.

Why, Mr Speaker, despite the Territory being forced into being funded as a state, does the Leader of the Opposition oppose our seeking, at the earliest possible date, the ownership of the most valuable natural resource we have: uranium? The Northern Territory has been denied a fair return from the mining of uranium for many years. That mattered less when special formulas provided sufficient funding for our needs, but all that has changed. An amendment to federal legislation is all that is required to right that injustice. Why then does the Leader of the Opposition say that we should wait 12 years? 'Get it all at once in statehood' - that is what he advocates. Whose side is he on? It is time that he considered his constituents a little more and his Canberra colleagues a little less.

The Leader of the Opposition might also advise Territorians, when he responds to this statement, why he advocates the Commonwealth retaining power to direct the Administrator of the Northern Territory for another 12 years and why the Commonwealth should retain the power to withhold assent to legislation that this parliament chooses to process which is within its executive authority. Give me one reason why that somewhat patronising provision should remain one day after next week, let alone after 1 July 1990. That patronising provision may have seemed justified on 1 July 1978 when no one quite knew what sort of attitude would be adopted by the elected representatives in the Northern Territory who, for the first time in history, had control of their own affairs. Maybe in such circumstances, one could see some justification for the Commonwealth retaining that power to withhold consent to our legislation for a period of time. However, there is no longer any justification whatsoever for it. I want to know, and I think Territorians want to know, why the Leader of the Opposition believes we should wait 1 day longer than is necessary.

Mr SMITH (Opposition Leader): Mr Speaker, I would like to reply to the statement and comment on this third Chief Minister's stop-start approach to the question of statehood and the question of state-type powers. I say the 'third Chief Minister' because, essentially, consistent and serious moves towards statehood began during the time when the member for Barkly was Chief Minister. The government's stop-start approach makes the job harder for those of us who are serious about statehood and for those of us who recognise the problems involved.

It is interesting to look at the Chief Minister's current attitude and compare it with his attitude of a few months ago when he felt so little about these issues that he removed himself from the Select Committee on Constitutional Development. Prior to that time, the Chief Minister of the day had been responsible for chairing the committee. However, in August or September of last year, the Chief Minister told the committee that he no longer wished to be a member of the committee. He had established other priorities for himself. That action, of course, downgraded the efforts of the Select Committee on Constitutional Development. The Chief Minister put the question of statehood and the devolution of state-type powers on the back burner. In the last few days, however, he has moved some of the issues to the front burner once again.

Why has this sudden and dramatic change in attitude occurred? Why has the Chief Minister moved from the decision he made 4 or 5 months ago to remove himself from the Select Committee on Constitutional Development to his current championship of overnight statehood by 1 July 1990.

Mr Coulter: It must be an early election, I reckon.

Mr SMITH: Mr Speaker, as the Deputy Chief Minister says, it is all political. There will probably be an early federal election and, of course, the Chief Minister and his ever-willing deputy are prepared to jeopardise the hard work that the Select Committee on Constitutional Development has done, the bipartisan support that this side of the House has offered and the prospect of building on a very low level of public support. He is prepared to jeopardise that for what he sees as a short-term political advantage. That is why we cannot support the date of 1 July 1990.

The other element in all of this is a panic reaction to comments made by Senator Collins 10 days ago when he outlined a sensible approach to the development of statehood. It was interesting indeed to see what occurred after that. The public brawl within the Country Liberal Party was interesting enough and it must have been much more exciting behind the scenes. There was the strange circumstance of the Secretary of the Country Liberal Party, John Hare, supporting Senator Collins in his call, and so he should have because it was a very sensible call. There followed the public spectacle of the President of the CLP threatening to discipline, in some way, the secretary of the party because of the comments that he had made. There is no doubt that a very real element in the series of propositions that we have before us today is the desire to react to Senator Collins' sensible statement. It is unfortunate that the reaction was not as sensible as the proposition advanced by Senator Collins.

This debate is about the achievement of all state-type powers as well as something which, in his statement, the Chief Minister placed in the never-never category: equality of representation in Canberra. For most people, that latter question is the most important one in the longer term. Until we have equal representation in the Senate and equal representation,

according to population, in the House of Representatives, we will not have achieved full statehood. It was interesting to hear one of my political opponents, Jim Forscutt, the Mayor of Katherine, agree with me on that point when I discussed it with him on talkback radio yesterday. The bottom line in attaining equality with the states is equality of representation in Canberra. The Chief Minister's statement, however, contains no timetable or strategy in relation to that because we all know that it is a more difficult issue which will take us well beyond the period of the next federal election which, unfortunately, for the Northern Territory, is all the Chief Minister is concerned about.

Since statehood first became an issue, every Chief Minister - including the present one - and both Leaders of the Opposition have said that the devolution of state-type powers will be achieved only through bipartisan support. No group in the Northern Territory will be able to achieve it by acting unilaterally. Whatever its political colour, the government of the day in the Northern Territory will not achieve significant movements in this area without bipartisan support. Support will need to come not only from the political party in opposition, but from the people of the Territory. What we require is a move towards statehood that has the support of the people of the Northern Territory. Let us be frank about it: one of the reasons why the move towards statehood slowed was because opinion polls indicated over a period of time that public support was, at best, lukewarm. That is why we backed off, Mr Speaker: support from the public was lacking.

One of the jobs which the Select Committee on Constitutional Development has set itself is to go out into the community to attempt to explain the issues in order to gain public support. The committee has printed a booklet called 'Proposals for a New State Constitution for the Northern Territory' which is designed particularly for Aboriginal communities. That booklet is due to be circulated in the next couple of weeks but the committee may as well not bother now because the Chief Minister has said to the people of the Northern Territory: 'Forget it. We are no longer interested in consulting you on these issues. We are going hell for leather with a target of 1 July 1990'. To do that without first building up popular support and without talking to one's political opponents to seek bipartisan support is not the way to succeed. It is one way to kill off the move to statehood and that will be its effect.

I want to assure the people of the Territory, as I have done before and as my predecessor did, that we are interested in the question of statehood and want the Northern Territory to become a state. We will continue our bipartisan support for serious efforts to achieve statehood. However, we will not support this flimsy exercise. We are interested in achieving statehood through statesmanship, not through the insanity which has been put before us today. The achievement of statehood will be a long, slow process. That is one of the things we have learned during the past 3 or 4 years and it is one of the reasons why, after their initial spurts of enthusiasm, various Chief Ministers have said: 'Let's slow the timetable down and obtain the support of the community'. We need a realistic timetable and we need to work towards our objective in a planned and organised way. Above all, we need to obtain the support of the population of the Northern Territory. To put it frankly what we have in the Chief Minister's statement is a half-arsed approach, an approach ...

Mr SPEAKER: Order! I ask the Leader of the Opposition to withdraw that remark.

Mr SMITH: Mr Speaker, I withdraw.

The Chief Minister's approach has been stitched together in a panic reaction for blatant political purposes. A realistic timetable, a planned approach, consultation and the support of the people of the Territory are necessary.

Another consequence of this new approach will be that the work of the Select Committee on Constitutional Development will be chucked out of the window in favour of a date plucked from the air. I will return to the work of that committee in a moment.

The only thing new in the Chief Minister's statement is the date. Everything else to which it refers has been known to people in the Northern Territory - except, apparently, the Chief Minister - for quite some time. The select committee has been working on the issues for some time and has issued a number of discussion papers which I urge the Chief Minister to read. He might find them interesting. Whilst I am on this subject, I will ask about the discussion paper on the financial arrangements which is to explain how the handover of responsibilities and functions will affect the Northern Territory. Where is that paper? It has been promised to us for 18 months. We have been told that it is coming but we do not have it. We have not been able to examine it and yet the Chief Minister is asking us to trust him and to believe that it will all be okay. The target date is to be 1 July next year whether we have the information or not.

I remind the Chief Minister that the main reservation that most people have about statehood and the handover of these powers is how much it will cost us. Further, I remind the Chief Minister that he has an obligation to the people of the Northern Territory to issue a paper on that so that we can begin to debate it. We cannot have a proper, ongoing and serious debate about this matter until we have basic information on the financial aspects. The time it has taken this government to issue its financial paper is a good indication of how difficult the government itself is finding it to handle these financial aspects. If the government has taken 2½ years to get its act together, we could realistically and justifiably expect the population of the Northern Territory to want an equal amount of time. But no, Mr Speaker, the people are not to be given a choice. They are not to be involved in or informed about the financial arrangements. They have been told by the Chief Minister to trust him and all will be okay. We are simply to ride to Canberra on his coat-tails.

Let us get rid of this furphy that it is not a quest for statehood by 1 July 1990. When all the powers are put together, they amount to statehood, except for 1 thing - and that is that most important thing that I talked about earlier: the question of equal representation in Canberra. Mr Speaker, ask people in Aboriginal communities what statehood means to them and they will reply in 2 words: land rights. The proposition is advanced in this particular paper that we will achieve the transfer of land rights to the Northern Territory by 1 July 1990. If that is not cloud cuckoo land, I do not know what is.

I do not want to go through these propositions one by one, but let me point out some difficulties in 4 areas. Let me begin with the transfer of land rights. The Select Committee on Constitutional Development said, in a unanimous recommendation in its discussion paper, that it favoured some entrenchment provision in relation to land rights in the new state constitution. One option, which we favour, is the entrenchment of land rights

in some way in the new Territory constitution. That is a recommendation of a committee of this House. Three government members, including the former Chief Minister, and 2 opposition members made that recommendation unanimously. That is one of the options presented to Aboriginal people in this document yet the Chief Minister proposes that we ignore the advice of the committee and that we do not give Aboriginals the opportunity even to look for the entrenchment of land rights in the new state constitution. If that is not a recipe for turning off the whole question of land rights, I do not know what is.

The Aboriginal people constitute 25% of our population. The Chief Minister should know that it is difficult enough to persuade Aboriginal people of the Northern Territory that they should trust a Territory government in relation to land rights. However, when the Chief Minister ignores a recommendation by the Select Committee on Constitutional Development and says that he wants land rights transferred to us and put into a normal act of the Northern Territory parliament by 1 July 1990, he will put those people completely offside.

I want to make the point once again that no federal government, and I do not care what political colour it is, will advance down the land rights track without the broad support of Aboriginal people in the Northern Territory. No federal government will move down that track. That is very clear indeed from the public utterances of shadow ministers at the federal level on this question over a period of time.

Mr Speaker, secondly, the Chief Minister proposes to renegotiate with Ranger and Nabalco their royalty deals and their present agreement arrangements by 1 July 1990.

Mr Perron: When would you start?

Mr SMITH: I bet that he has not even spoken to them yet.

However, the preliminary legal advice that we have is that the agreement of those companies and the agreement of the Commonwealth will need to be obtained before that can occur. Given the track record of Nabalco and Ranger, Mr Speaker, you can bet your bottom dollar that that will not happen. Certainly, it will not happen by 1 July 1990.

Thirdly, there is the question of national parks. The problem here is a little different. What we have is the fact that, in Uluru and in Kakadu, we have 2 prime national parks, and they are the best funded national parks in Australia. \$10m will be spent on those 2 national parks this year. In the Northern Territory - and thanks to the Minister for Lands and Housing, I have this piece of information - there are 98 parks and reserves. Do honourable members know how much we spend on them? Do they know how much is allocated in the budget for them this year? \$18m. On 2 national parks, \$10m will be spent and, on nearly 100 other parks, \$18m will be spent. A commitment that the Commonwealth will be interested in and a commitment that the environmentalists will be interested in is that money that is transferred across to those parks will be spent on those parks.

Mr Perron: Whatever happened to self-government principles?

Mr SMITH: I will tell you what happened to the self-government principles. Let me say that your comment is cold comfort indeed to those people in the Commonwealth government who are sympathetic to this request and to those environmentalists who may be sympathetic to this request. One of the

things that the government of the day in the Northern Territory will have to do, if it is to gain control of land rights and national parks, is to guarantee levels of funding for Uluru and Kakadu.

Members interjecting.

Mr SPEAKER: Order!

Mr SMITH: Let the record show that, in this ongoing debate, the Chief Minister is not prepared to give a commitment to maintain present levels of expenditure on Kakadu and Uluru. By that, he has made it much more difficult for us to achieve our goal in this particular area.

Mr Speaker, the fourth matter relates to an extra 2 Senators and an extra member of the House of Representatives. Pigs might fly if we are going to achieve that.

Mr Hatton: Uranium ownership?

Mr SMITH: Just hang on.

As I have said, ever since this debate started, the opposition has expressed its support for planned and coherent action for gaining statehood. In fact, whilst 2 weeks ago a vacuum existed, we have proposed the date 2001 and filled that. As a consequence of our filling that vacuum, we have witnessed the normal Country Liberal Party government overreaction and this mad haste to put everything in place by 1 July 1990.

Mr Perron: How long do you think self-government took in 1978? How long do you think that took?

Mr SMITH: It will not work, and this opposition is not prepared to support it.

Our approach is to continue our support for a planned and integrated approach to statehood which includes the hard one of getting equal representation, rather than ignoring it. It includes talking sensibly about serious questions such as land rights and obtaining the agreement of people who are intimately involved on those questions, rather than trying to ride roughshod over them as the Chief Minister does. The year 2001 is an achievable goal and, if all goes well and if there is bipartisan support and a consistent approach to it, we could do it earlier. However, unfortunately, attitudes and actions like those of members opposite make it harder rather than easier to achieve.

To pick up the last comments of the Chief Minister, when he was bold enough to speak off the cuff, it will be possible to implement changes and movements towards statehood along the way. No one is denying that. No one on this side of the House is saying that we should wait until we have it all together before we do anything. It is possible to move step by step as the community indicates its support for particular items. I am happy to work with the Chief Minister to help achieve that, but I am not happy to be constrained by this stupid deadline which will do more to upset and anger people than it will do to achieve true statehood for the Northern Territory.

The other point that I think has become evident in this discussion is that we need to advance the program of public consultation that we are beginning. Really, we have been talking about public consultation for 2 or 3 years. We

now have this booklet. As I understand it, we have a program to visit Aboriginal communities, and I hope that that will be more successful than the program I was involved in during which we visited communities in the Northern Territory. At that time, very little interest at all was expressed in this issue.

If we are serious about getting this matter rolling and about its gaining some momentum, we should not set an artificial date but we should put in place a broader, community-based group that can work side by side with the Select Committee on Constitutional Development so that, at this stage, we obtain some community reaction on an organised basis. Clearly, some careful thought would have to be given to the selection of the members of such a group. It should be widely-based so that we obtain as broad a range of views as possible. That is a practical approach to the question of moving the debate along at this time. Let us go out there. Let us tap into the community now. For whatever reason, the Select Committee on Constitutional Development has not been able to do that. Let us move the debate along and tap into the community by setting up a broader, community-based group to work with the select committee. That is a positive approach which will bear fruit. It will enable us to move towards the goal that we all want, and that goal is ultimate, constitutional equality with the states.

Mr Speaker, I finish where I started. We support, and have always supported, the concept of statehood for the Northern Territory. We cannot give bipartisan support to this 1 July 1990 date that has been plucked out of the air and forced on us. I would like the Chief Minister to tell us how he arrived at that particular date. Let him provide us with the rationale for that.

Mr Speaker, I move that the motion be amended by omitting all words after 'that' and inserting in their stead: 'this House: (1) express its concern over the CLP government's stop-start approach to the Territory's constitutional development; and (2) urge the government to continue constructive work towards the attainment of statehood by the centenary of the federation of the Australian states.

Mr HATTON (Nightcliff): Mr Speaker, I rise to speak in this debate in support of the motion moved by the Chief Minister. In doing so, I would like to address some of the comments made by the Leader of the Opposition. He sought to make a number of strange allegations and he promoted the cause of the year 2001, the Terry Odyssey again. We all know the reason why the year 2001 has been promoted by Senator Collins and by the Leader of the Opposition. At its annual conference in 1987, because it was faced with a thrust towards statehood which it knew it could not oppose without suffering an electoral disaster similar to that which it experienced when it opposed self-government in 1977, the ALP decided to adopt a strategy of promoting a target date as far away as possible. That 1987 conference resolved that statehood should be achieved by 2001 and preferably not before. That was a specific resolution of the Australian Labor Party.

That is the source of the 2001 date. It fits neatly in with the formula that says, for some reason, that the rights of the people of Australians who happen to live in the Northern Territory should be recognised on the centenary of the federation of Australia, but not before. I am sorry, but I do not accept that. I have said it publicly, and I will repeat it again here, let us set 2001 as the outside deadline by which statehood must be achieved and do all we can to gain statehood as soon as possible before that date. However, let us at least all agree that there is no justification for any delay under

any circumstances after the year 2001. That is a far more acceptable proposition than that being promoted by the Australian Labor Party.

Let us get this 2001 proposal into perspective. That is 12 years away. I was in this Assembly in 1975 when the then federal opposition leader, Malcolm Fraser, said in an election campaign: 'Statehood for the Northern Territory ...'

Mr Tuxworth: Within 5 years.

Mr HATTON: Within 5 years. The member for Barkly remembers that well.

Mr Tuxworth: We were all there, Mr Speaker.

Mr HATTON: We all thought that was fantastic. A few people became rather nervous and asked if we could handle full statehood at that time but, as a result, we obtained self-government 4 years later, and that was a starting point on the road to statehood. We are still working towards the finalisation of that process today. Let us be very clear about it: self-government was not an objective in itself. It was a halfway house to achieving the ultimate, constitutional objective of the Northern Territory: equality with other Australians. That is what we are fighting for. Unfortunately, even now, that is a concept that totally eludes the Leader of the Opposition. It is a real worry, Mr Speaker.

In this debate today, he said that what the Chief Minister is proposing is statehood without parliamentary representation. That demonstrates his fundamental inability to understand the basic concept of statehood. Even if a self-governing Northern Territory had all the powers transferred to it in accordance with those of a state, if it had equal representation, it would not be a state and would not be equal until it stood constitutionally equal with other Australians. The Territory will not become a state until the rights of Territorians are embedded in a constitutional state and, through that, in the Australian Constitution, the Australia Act, the Statute of Westminster and everything that flows from it. That is a fundamental of statehood.

The process of achieving that goal can be debated as often as we want to rise to our feet to talk about it. I have long supported the view that we should seek a transfer of powers to a stage of equality, then the constitutional change to statehood, ideally at that point with equal representation but, if necessary, with a gradual phasing in of equal representation in the Senate. The argument put forward by the Chief Minister is that program. It should not be confused with the work of the Select Committee on Constitutional Development. At the moment, the select committee is working on a process of consultation.

Mr Ede: Yes, come on. Explain it.

Mr HATTON: I am sure that the member for Stuart will support this. The committee is working today and the booklet that was being waved around by the Leader of the Opposition, which I tabled in the House late last year, is aimed at obtaining comment from the community on the form and structure of a Northern Territory constitution.

Mr Ede: Which would include?

Mr HATTON: It would include a range of issues, including whether there should be an entrenchment of the land rights of Aboriginal people. It covers

a multitude of other matters which, in our extensive process of consultation, Territorians may accept or reject individually. That process of debate and consultation will take place and our committee will set a program of meeting with some 59 communities between now and late May this year. That will cover all electorates in the Territory and I am sure I will receive the support of all local members in promoting the cause of the committee ...

Mr Ede: It is pretty embarrassing for you.

Mr HATTON: Not at all, Mr Speaker, it is not embarrassing at all.

I might say that, in that process of consultation on the words of a Northern Territory constitution, we will make significant gains. Quite honestly, I expect that the process will probably require repetition in the second half of this year. I know that my fellow committee members will greatly appreciate the thought of another 3 months of extensive travel around the Northern Territory. However, I seriously believe that, if this process is to be done properly, we may well need to undertake a second run in the second half of this year. Unlike the Leader of the Opposition, I believe that last year's process did have some value in that it started people thinking about a constitution. It is a very complex, daunting and frightening task for the average citizen to be asked to indicate what he wants in a constitution for the Northern Territory. People need time to think and they need to feel comfortable in bringing their views forward. That will take time and effort.

Whilst that work is continuing, there are some things that can and should be done now to overcome some fundamental inequities that exist in the Northern Territory which do not necessarily require the constitutional shift to statehood for them to be achieved. That is what the Chief Minister is raising in this paper and what every one of us in this House, if we genuinely claim to represent the people of the Northern Territory, must support.

I urge every member to remember the final comments made by the Chief Minister this morning. Why is it that we can be trusted to manage 98 parks and reserves in the Northern Territory? Why is it that we can be asked to handle the health and educational services for all Territorians? Why is it that we can deal with land, fishing and conservation matters but, for some reason, we cannot manage 2 parks even though we managed Uluru National Park quite successfully from 1956 to 1977 before it was stolen from us? Why is it that we cannot manage Kakadu National Park when it was the Northern Territory Reserves Board and the Northern Territory Legislative Council that fought against Commonwealth objections for a decade to have it declared a park? The Commonwealth says that we are not competent to manage those parks. Bunkum, Mr Speaker! It is nothing more than centralist power grabbing and it should be overturned. It should be opposed by every self-respecting Territorian. There is no justification for it whatsoever.

In respect of Aboriginal land rights, there should be no debate that that act should be transferred to the Northern Territory and it should be transferred, as has been consistently stated, with guarantees that land rights for Aboriginal people will be retained. I urge all members opposite, instead of talking from ignorance, actually to read the land options on statehood paper that was tabled in this House. I ask them then to contact organisations such as the Northern Land Council and others who are promoting lies and to inform the community that it is not being told the truth. They should tell the Aboriginal people that what we want to do - and I do not think anyone in this Chamber thinks otherwise - is to sit down as Territorians, black and white together, and work out the appropriate form of land rights. The fact is

that a substantial proportion of Aboriginal people in the Northern Territory happen to think that the current construction of the Land Rights Act is inequitable to them. They would like to have a say with their government as to what sort of land rights legislation should exist in the Northern Territory. There are certainly some non-Aboriginal people in the Northern Territory who believe that they have a right to have some say in what sort of laws should apply.

We must have faith in ourselves and in the ability of the people of the Northern Territory to properly carry out that task. That is what statehood, that is what self-government, that is what responsible government and that is what democracy are all about. If a government gets it wrong, it is voted out and somebody else comes in and fixes it up. Let us stop this nonsense of saying we have to crawl on our bellies to Canberra with promises to do something that no one else in this country is expected to do in order to obtain the same rights as other Australians. That is not what we should be here for and it is not what we have a responsibility as elected members to do on behalf of all Territorians - and I mean all Territorians.

In relation to guaranteed funding for Kakadu and Uluru, does the Queensland government guarantee funding for the Great Barrier Reef National Park? Does the New South Wales government guarantee funding for the Snowy Mountains national park? Does the South Australian government guarantee funding for the Flinders National Park? We know that they are national treasures and that they need protection and development. The people of the Northern Territory demand that the parks be developed properly. If the Commonwealth feels that it has some incentive to accelerate the development or promotion of those parks, it has the capacity to do so by making specific purpose payments to the Northern Territory government in respect of those parks. In fact, it can even name the sort of projects that can be undertaken. That is a nonsensical argument. This is a question of responsible government and a question of democracy. Let us get away from the penny ante arguments and the scare tactic arguments that are floated continually.

Mr Speaker, I will deal with one final matter because it was raised yet again as a red herring. If the Leader of the Opposition and shadow treasurer has the gall to stand up in this parliament and say that he does not know what the financial arrangements would be on statehood, he is saying that he does not know the basis of Commonwealth state financial arrangements, he does not know the basis of Commonwealth Northern Territory financial arrangements and he does not know what happened at last year's Premiers Conference and at the 2 conferences before that. All of that has been debated openly and fully in this House, often in the face of pooh-poohing criticism from the Leader of the Opposition. He is saying that he is incompetent at his job as shadow treasurer. The fact is that the Memorandum of Understanding on self-government is dead. It died on 1 July 1988. We are funded today as a state. We are in the same Commonwealth state tax-sharing pool. We are assessed by the Grants Commission under a relativities review at the same time and under the same conditions as are the states. The formulas that are used are identical to those applied to the states. We are subject to the same rules in respect of Commonwealth grants and loans. We are subject to the approval of the federal Treasurer on semi-government borrowings.

There is no special deal. Is that clear to all honourable members? If we obtain additional administrative responsibilities, they will be assessed by the Grants Commission. We do not receive funding for things that we do not do now. When we gain the transferred powers, they will become part of the assessed needs for the Northern Territory, even as they are for every state in this country. Is that clear to the opposition?

Mr Ede: What does Everingham say?

Mr HATTON: There are no differences now. Mr Everingham has not been in this House since 1984. I wish the opposition would listen and catch up with the modern world. The fact is that there are no differences. Some elements may mean that there will be additional costs to government. They may be marginal. I am not going to put a figure on them. There may be a net saving to the Australian taxpayer if particular functions are transferred to the Northern Territory because the Commonwealth would not have to duplicate a state-type function in its own bureaucracy. Think about that, Mr Speaker.

The fact is that the various elements are assessed by the Grants Commission and the necessary adjustments are made in the course of relativities reviews. The Grants Commission bases its decisions on our need to provide services and facilities balanced against our reasonable revenue-raising capacity. We have all the administrative infrastructure in place, along with the political and judicial infrastructure. Our taxing regimes are broadly in line with those in the states, although particular levels may be higher or lower. We are assessed on our revenue-raising effort and, if we choose not to charge a tax which all states charge, the Grants Commission will tell us that we have forgone that capacity and that it will not pay that amount to us. That happens already, and it needs to be clearly stated that statehood, as such, will not affect the finances of the Northern Territory. Every member of this Chamber has an obligation to come to grips with that fact. A paper is certainly being prepared on that subject. It aims to explain to the general population what all members in this Chamber should know and what they should be explaining to the community instead of trying to scare people out of their wits about money. Let us aim to overcome the problems of misinformation in the community. That is what the paper on the financial arrangements is about.

The paper on industrial relations is more complex and difficult. I must admit that I have had the opportunity to review the recommendations of Sir John Moore and I believe that there is a reasonable solution that will gain the support of all participants in the industrial relations scene - unions, governments and employers - and which is economically rational, minimising costs to the community. Such a solution is achievable within the context of the transfer of constitutional powers although, with only a minute remaining to me, I do not intend to debate the matter now.

Let us fight for the transfer of further powers as a stage in the move towards statehood. Do not mistake the achievement of this transfer as statehood. It is not. However, let us work towards that objective and support the Chief Minister in his bid to gain increasing levels of equality for Territorians.

Mr EDE (Stuart): Mr Speaker, the member for Nightcliff is in a difficult position in relation to this matter because the stance which he espoused as Chief Minister was quite at odds with that formerly adopted by the present Chief Minister.

The opposition's amendment urges the government to continue constructive work towards the attainment of statehood by the centenary of the federation of the Australian states, and the member for Nightcliff gave an indication that he has no problem with the second part of our amendment when he said that the year 2001 was the latest possible date. I thought that he might have the courage to support the first part of our amendment because I presume that, in other places, he has expressed his concerns over the CLP government's

stop-start approach to the Territory's constitutional development. Indeed, it was his accession to the Chief Ministership and his later demise which were responsible for much of that stopping and starting which, unfortunately, has characterised the move towards statehood. I am sure that, given that background, the member for Nightcliff will support our amendment.

I turn now specifically to the date which the Chief Minister has proposed as the target for the transfer of the powers which he referred to in his statement: 1 July 1990. That is such a farcical date that one can only wonder whether, in fact, it was designed to be so. Perhaps the Chief Minister is really maintaining his previous stance that the matter is not an urgent issue by reducing it to the level of a farce. In his statement, he referred to a list of powers which he wanted transferred by 1 July 1990. Some honourable members may not realise what that involves and for their benefit I will read out a list of the acts which will need to be amended in the federal parliament if the Chief Minister's deadline is to be met.

Of course, the Northern Territory (Self-Government) Act is one such act. Consequential amendments will have to be made to the Northern Territory Acceptance Act of 1910. There are also the Aboriginal Land Rights (Northern Territory) Act of 1976 and the Petermann Aboriginal Land Trust Boundaries Act of 1985. It will require the possible repeal of most of the Coastal Waters (Northern Territory Powers) Act of 1980 and the Coastal Waters (Northern Territory Title) Act 1980, and possibly amendments to the Coastal Waters (State Powers) Act 1980, Coastal Waters (State Title) Act of 1980, and the Seas and Submerged Lands Act of 1975 and its regulations. The Environment Protection (Alligator Rivers Region) Act and the Environment Protection (Northern Territory Supreme Court) Act are others which will require amendment. These are all federal acts that the federal government is expected to amend or repeal, with appropriate savings, within the next 16 months to fit in with the Chief Minister's timing. I have named only 7 so far, and I am afraid that there are 35 of them.

I could give examples of a few more: the Lands Acquisition Act 1955, the Land Acquisition (Northern Territory Pastoral Leases) Act 1981, the Atomic Energy Act 1953, Koongarra Project Area Act 1981, the Commonwealth Electoral Act 1918, the Representation Act 1983, the Referendum (Machinery Provisions) Act 1984, the Ashmore and Cartier Islands Acceptance Act, the Judiciary Act 1903, the Bankruptcy Act 1966 and the Family Law Act 1975. The Chief Minister seriously expects that the full process of drafting amendments to all these acts will be undertaken in the next 16 months. It is outrageous for this to be brought before this House. As I said, I can only believe that the Chief Minister, ably abetted by the interrupter over there, the Attorney-General, decided that he wanted to reduce the whole thing to the level of a farce. That is what that date is, Mr Speaker.

Other federal acts that would require amendment include: the Commonwealth Places (Application of Laws) Act, the Ombudsman Act, the Administrative Appeals Tribunal Act, the Administrative Decisions (Judicial Review) Act, the State Grants (General Revenue) Act, the Commonwealth Grants Commission Act, the Financial Agreements Act, the Payroll Tax (Territories) Act, the Payroll Tax (Territories) Assessment Act, the Commonwealth Authorities (Northern Territory) Payroll Tax Act, the Superannuation Act and Regulations, the Public Service Act and the Commonwealth Teaching Service Act. Mr Speaker, need I go on in order to demonstrate what a farce this position is and how irresponsible it is of the Chief Minister to take such a serious subject and bring it before this House in such an outrageous manner and to turn a serious business into what is purely a political, point-scoring exercise?

Mr Speaker, I will not go through the next couple of pages of this. I think I have made my point in respect of the legislation that would require amendment. We know that the timetable proposed by the Chief Minister is farcical, outrageous and unattainable. Let us have a look at alternative methods. Let us go back to the method that we in this parliament have set in place and which we have been pursuing: the constitutional development approach to statehood. Under that, we decided that we would not allow the whole idea of statehood to be kidnapped by a group of politicians who were temporarily in power in this place. We decided to take it out of that arena and to establish a bipartisan committee of this parliament, which had equal representation from both sides, and that that committee would go to the people because, after all, who would own statehood? It would not belong to the CLP or a group of ministers opposite or the Chief Minister. It would belong to the people of the Northern Territory. We adopted a constitutional development approach because we said that, as far as possible, in our role as representatives of the people of the Northern Territory, we would approach this issue on a bipartisan basis and we would negotiate it through.

That is what we have been doing and that is what is put at risk by this blatant attempt to politicise the decision and set such an outrageous and farcical target as 1990. Let us remember what we are trying to achieve by this constitutional approach. We are saying that the people of the Territory have the right to determine, in a new constitution, the framework for the type of society that they want for themselves and for future generations of Territorians. Every Territorian has the right and, I believe, the obligation to be involved in that process.

The people must become the founding fathers of the state of the Northern Territory. That is the reason why we are going to the people of the Northern Territory in relation to the constitution. That is why we have issued not only proposals for a new state constitution for the Northern Territory but also papers such as that issued on 8 August 1986 entitled, 'Towards Statehood', and 'Information Paper No 1: Options for a Grant of Statehood'. In October 1987, the committee issued the 'Discussion Paper on Representation in a Territory Constitutional Convention' and then 'Minerals and Energy Resources Upon Statehood'. These have been issued to the people so that they can have their say in relation to this matter. 'National Parks Upon Statehood' is another document which was issued by the committee in September 1987 to the people of the Northern Territory so that they can decide. 'A Discussion Paper on a Proposed New State Constitution for the Northern Territory' was issued in October 1987. That set out the framework and some of the recommendations of the Select Committee on Constitutional Development for people to discuss. In addition, an option paper entitled, 'Land Matters Upon Statehood', was prepared for the people of the Northern Territory.

The Chief Minister is telling us to forget about that. He said it has all been done. It will not be done until the people have had their say. The people have a right to have their say. Territorians have the right to decide what will go into the constitution and how the constitution will tie in with all these very important matters because it is not possible for any person to say that matters such as land ownership and national parks can be divorced from our constitution. There are many people who believe that the only way that those matters will be negotiated is by some form of entrenchment in the constitution. The member for Nightcliff stood up and said - and he almost kept a straight face - that there could be a transfer of the Land Rights Act to the Northern Territory with appropriate safeguards. When I asked where the safeguards were to be, he gave me a sly grin and said nothing. Obviously, the

safeguards must be in the constitution. That is why we have been developing a constitutional approach which would deal appropriately with land matters. Both sides of the House have agreed that some form of entrenchment of the principles of land rights in the constitution would be the only safeguard we could offer to Aboriginal people of the Northern Territory that the rights they have won will not be lost because of politically expedient actions by a government of the Chief Minister's ilk.

The member for Nightcliff said that people from both sides of the political fence had worked together with Aboriginal people on various issues, including the creation of parks. Certainly this has occurred and I have seen the member for Nightcliff go through that process. Unfortunately, however, there are many in his party who cannot do that and who cannot resist the temptation, when they are down the gurgler politically, to turn around and kick the can. We saw the Attorney-General do it recently with his bill to amend the Sacred Sites Act. Certainly, he did not take a series of proposals to Aboriginal people and say to them: 'Under your law, you are the leaders of your people and the custodians of the sacred sites. Here are some of my ideas. What do you think of them? Let us, in partnership, develop something that is appropriate for the Northern Territory'. He did not do that. He stayed behind closed doors and issued an edict from on high. He backed away only when he discovered that the Self-Government Act contained safeguards that prevented him from legally proceeding. When he cannot resist the temptation to act in such a way, how can he expect Aboriginal people to give up the safeguards provided by the federal government and place themselves at the tender mercies of members of the Northern Territory government?

That is not within the bounds of reality. It will not happen and the Chief Minister, who is sitting there with a grin on his face, knows that it will not happen. He knows that the date which he has nominated is simply a device chosen in an attempt to blow the whole process and to sabotage what we are trying to achieve through a constitutional process in the move to statehood.

Mr Perron: Why would I do that? Tell me.

Mr EDE: He does not believe in it, Mr Speaker. He knows that, following the next election, he will be sitting on this side of the House and that he will be negotiating on the issues associated with statehood. He wants to sabotage the process to such an extent that statehood cannot be achieved under a Territory Labor government because he knows that we would achieve it on a fair and equitable basis which is not the way he wants it done. That is the only possible reason for what he has done.

It is unfortunate that the member for Nightcliff indicated that he does not accept our amendment. The amendment is a result of the stop-start approach which began when he was Chief Minister and ended when he was chucked out. Progress ceased for a number of months but now the process is off and running again. The whole matter has been reduced to a farce. In the next few days, this parliament's only option is to bury the course of action proposed by the Chief Minister and to return to the constitutional development approach, to work on the issues gradually and to put behind it the Chief Minister's attempts to grab headlines. We must return to a quiet, methodical approach in which, very softly, through reasoned argument, we can negotiate with the various people involved and thereby move towards the achievement of state powers with a constitution which people will accept. That is the only way in which we will achieve our goal. I plead with honourable members opposite to say to the Chief Minister: 'Fair enough. You might be a bit of a

one-day wonder, you might be written off as the miraculous wimp, the biggest disappointment that the Northern Territory ...

Mr SPEAKER: Order! The honourable member will withdraw that remark.

Mr EDE: Mr Speaker, I am quite happy to withdraw it even though it is people other than myself who have been saying it. I know that the Chief Minister's predecessor may have had that appellation but I have not actually called him that before.

Mr SPEAKER: Order! The honourable member will withdraw the remark without comment.

Mr EDE: Mr Speaker, I withdraw.

The Chief Minister has had an incredibly difficult time getting his profile above minus 10. Every time he has attempted to get an issue going, he has been unable to work out which way is up and has dug himself a bigger hole to hide in. It seems that the central council of the CLP told him: 'Enough is enough. This is it. That way is up and it is full steam towards statehood. Remember what Paul Everingham did when he won the 1983 election? Look at that and away you go'. He instantly jumped on the statehood wagon and charged forward. What has he achieved? He has blown the whole matter out of the water by setting an absolutely impossible target date for the transfer of powers. He has lost all credibility. After 2 days, he is left with nothing to do but crawl back under the profile that he created for himself last year and hope that the rest of the world goes away. Mr Speaker, it will not go away.

Members on this side of the House and the members of the Select Committee on Constitutional Development will continue, in a positive manner, to explore the issues in relation to statehood and the transfer of powers, without the assistance of the Chief Minister. We will do without that assistance because, whilst he may wish to blow the whole process, other people in this House know that, with a steady approach over a reasonable span of time, it is possible to achieve statehood through the involvement of Territorians, and that is the only way it will work. I commend the amendment moved by the Leader of the Opposition to honourable members.

Mr PERRON (Chief Minister): Mr Speaker, I would like to take a little time to touch on the comments of honourable members who have spoken to this amendment, mainly in relation to matters of principle. I was quite amazed to hear members opposite suggest today that, for example, when national parks are transferred to the Northern Territory, be it on 1 July 1990 or in 2001, there will be a requirement for guarantees to be extracted from the Northern Territory, either in the constitution or in some other form. I think the implication was that the Northern Territory would have to give some guarantee that it would continue to fund national parks at a level which is deemed appropriate by somebody outside the Northern Territory. This is a very important matter and it should not be passed over lightly.

It is preposterous to suggest that we would have full self-government, let alone statehood, if such a guarantee existed. Can one imagine a state of Australia achieving its 12 Senators and its House of Representatives members by being bludgeoned into a commitment to allocate, on a continuing basis, a specified amount of its expenditure to national parks? That is simply outrageous. I am appalled that the Leader of the Opposition could suggest that it might be required and that he would even contemplate supporting such a

principle when supposedly he represents Territorians. We now have 90% to 95% of the powers which would apply under full self-government but how would it have been if the federal government had said, at the time when we were negotiating the powers which we were granted in 1978, that it did not know whether it could trust Territorians with all those functions and that perhaps it ought to divide the money up in little buckets and provide us with specific purpose payments? It might have taken the attitude that health services were very important to the community and, in case we could not be trusted as elected representatives to act responsibly in relation to health, allocations for health services would be indexed and non-reducible. It might have taken the same attitude towards education, another important matter for the whole community.

Fortunately, in those days, the principle of self-government was paramount for the politicians in Canberra and the politicians in the Northern Territory. We knew what self-government was all about. It was about standing on our own feet, doing it our way and making a few mistakes, as indeed we have. We reserved that right to make mistakes and the federal government acknowledged that the Northern Territory was the child sent out from home with a dollar in its pocket to make its own way in the world. That is what it has all been about. Let us not hear any talk in this House about tying the hands of future governments of Territorians and claiming that it is full self-government or that it is statehood.

The other point that I would like to touch on is the timing. Members opposite are saying that a time limit of 1 July 1990 is preposterous, outrageous and impossible to achieve. I would like to remind them that the 95% of self-government that we have today was achieved in a shorter period than from today to 1 July 1990. It is a matter of goodwill and cooperation.

Mr Ede: How many acts required amendment?

Mr PERRON: Hundreds of acts had to be changed. The member for Stuart is a 5-minute Territorian, but we will forgive him for that. However, he should easily comprehend that to obtain 95% of self-government took a great deal more legislative action than would be required to achieve the remaining 5%. I can assure him that the capacity to draft the necessary amendments probably will be the least difficult part of the exercise.

Mr Speaker, I would like to clarify for members of the Assembly that I do not expect to obtain all that I have sought by 1 July 1990. However, that will not stop me making the bid, establishing the target and seeking the federal government's cooperation to meet that target. There are some difficult areas which certainly will flow beyond mid-1990. I will not sit here today and say that we will allow 2 additional years for the Nabalco agreement to be resolved and a further year for the Jabiru agreement to be resolved because various parties are involved and some of them will not want to come to the negotiating table. It may take a little salt on the tail from time to time. Things were not much different in 1978. In those days, there were a few parties which resisted having their empires chopped off left, right and centre, particularly people in the public service who can be pretty difficult if they do not want to do what the government wants. Public servants in Canberra, Adelaide and Melbourne were really pretty toey about losing their empire - the Northern Territory - over which they had had control for 70 years. One can imagine that they would have been a bit toey about handing over the reins to a bunch of young, fresh-faced kids in the Legislative Assembly in the Northern Territory. However, it was achieved because we had the political will and knew what we wanted. It should be the same today.

Until now, we have had the attitude that it is either statehood or the status quo. I am saying that that is not necessarily the way it has to be. There are logical reasons for making the statehood question less complicated by resolving some of those issues which can be resolved in the meantime. That will not push statehood further back. It might even make the whole exercise clearer in people's minds as we put it to bed issue by issue. I am saying that there is an interim step which we have never really had - full self-government. Full self-government does not require a constitution. It does not require the very difficult question of Senate representation and the formulas to achieve full representation to be resolved. We know exactly what we want: 12 senators as soon as possible. However, it will be very hard to convince others and it will be hard for them to get the decision through the system once they make up their minds that that is the way to go.

In the meantime, let us not stand around here saying that 2001 is the target and, therefore, for the moment, we will leave the national parks, the uranium mining and the dollars that Territorians are denied in royalties from that industry. The federal government sets the royalty rate - we have no say in it whatsoever - and it gives us a partial reimbursement. Oh, that is generous. That was fine when the federal government was funding us reasonably, but that does not occur any longer. We ought to have the ability to determine the level of all revenue-raising measures. Such decisions should be made by Territorians. We will adjust the budgets, but do not tie one hand behind our backs. I appeal to members opposite to look at this whole matter and take the politics out of it. I am happy to take the politics out of it. If they really want to show some good faith, members opposite should agree that it is a good idea and that, even if we are unable to achieve the 1 July 1990 target, we will all give it a damn good go.

Mr TUXWORTH (Barkly): Mr Speaker, I welcome the Chief Minister's paper on progressing our constitutional development, particularly after reading in a weekend paper his target of 1990. I was one of those people who, along with the Chief Minister, stood in the park when the Prime Minister was up on the back of the truck indicating that the Northern Territory should have statehood in 5 years. Those of us who were members of this Assembly and who realised the significance of the word 'statehood' as compared to 'self-government' nearly creamed ourselves. We dragged the Prime Minister into a room in Block 2 and said: 'Do you realise what you have done to us. We cannot sell statehood. We can sell self-government, but statehood will have people coming down out of their trees. It is a political bomb'. Like a good, pragmatic politician, the Prime Minister reappeared on the steps and said: 'I had statehood wrong. It is self-government and we are looking at 1 July 1978'.

The point that I would like to make is that not a great deal has changed between 1978 and now in so far as statehood is concerned. We can progress constitutional development and self-government in the eyes of the community but selling them statehood is still quite a pitch which they are not ready to buy. I was interested in the Chief Minister's last comments about depoliticising the issue of statehood because we will not get anywhere until we do. We need to admit that there are concessions that we may have to agree to if we want statehood in any form at all. I will come to those in a minute.

What is important is for us, as a legislature, to be consistent in the eyes of the public about how we are progressing the issue of statehood. Also, we need to weld together the various interest groups - the businesses, the Aboriginal land councils, the churches, the town councils and all the people in the community who will be leaders and opinion formers in relation to the issue. We will need to carry all Territorians at the end of the day because I

do not think the Commonwealth will even contemplate statehood for us until Territorians have had a say on it. Whether they vote on their constitution or they have a yes/no referendum on the matter is another issue but I think the Commonwealth will insist that that is a part of the process.

There is a need to maintain a steady program. As the Chief Minister said, there are many people interstate who will be working very hard to see that we do not achieve it because it will interfere with their empires, their own ambitions and with the role that they see us playing in the development of the north. There are many people, Mr Speaker, whom you and I probably could not even imagine, who are planning some way to prevent it from happening.

I come back for a moment to the need to be consistent. I quote from an article that was published in the Sunday Territorian of 23 October 1988:

Many of you will have read a report in this newspaper last weekend which stated that I had mothballed the Territory's bid for statehood. The report was untrue. I remain a strong supporter of statehood for the Northern Territory but I also believe that we must approach statehood realistically. I am not sure who it was that said that politics is an art of the possible but, whoever it was, he was right. I do not believe that statehood is a realistic objective in the short term and we are kidding ourselves if we think that it is. Before we can expect to become a state, the vast majority of Territorians, including Aboriginal people, must be firmly in favour of our bid. They are most unlikely to demand statehood if they do not understand it or understand the benefits which will flow to them in the Territory. A perception that becoming a state will cost more through taxes will also bring rejection.

The Chief Minister, in his article, went on to conclude, after several paragraphs touching on uranium, parks and other matters: 'But as I said, it would be unrealistic to expect statehood in the next 2 or 3 years'.

Territorians identified with that. This House reviewed the composition of the Select Committee on Constitutional Development and the member for Nightcliff was given a new role in that, and the cars were taken down to the garage and painted.

Mr Coulter: What cars?

Mr TUXWORTH: The car was taken to the garage and painted.

Mr Coulter: You have a tendency to exaggerate.

Mr TUXWORTH: The other car was clean in the back.

The community generally believed that the matter was being approached more steadily and in a way that it could cope with. The weekend papers really came as a bombshell to many people and raised concerns about what we were really doing. And I say 'we' as the legislature, because people do not look only to the Chief Minister or the CLP in relation to the matter of statehood; they look to all of us. There were 2 very interesting paragraphs in the article published on Sunday 12 February, and I will read them into Hansard:

The Chief Minister revealed to the Sunday Territorian that a high-powered team of 20 public servants in his own department had been working around the clock for 2 months on a blueprint that would

see the Territory acquire all the remaining state-type powers next year, prior to the Territory actually becoming a state, and he anticipated 1 July 1990 as the target date for the total devolution of powers prior to the granting of statehood.

Mr Speaker, that presupposes quite a few things: the attitude of the Commonwealth, the attitude of this House, the attitude of other people in the community and, particularly, the attitude of those vested interest groups who are involved in the transfer of the powers to which the Chief Minister referred.

Mr Coulter: What is your attitude?

Mr TUXWORTH: Mr Speaker, the honourable member is jumping in a little too quickly.

I would like to deal for a moment with the transfer of some of these powers because setting a date of 1990 is not only unrealistic, it is farcical. Let us take the transfer of responsibility for uranium. Everyone in this country knows that the federal government is sitting delicately on its 3-mine uranium policy in a bid to avoid any controversy at all in the discussion leading up to an election which will take place later this year. In this environment, for us to imagine that the Commonwealth government will transfer the responsibility for uranium to the Northern Territory really makes people wonder who is kidding whom. I would be the first to say that it should come as soon as possible. But, to imagine that it will come in the next 12 months, and to propose that seriously to the people, is just kidding everybody including yourself.

On the issue of land rights, there is no doubt, and I think there is agreement in this House on this, that ultimately the Land Rights Act has to come to the Northern Territory but, again, we are kidding ourselves if we think that the federal government will transfer that responsibility to this House without an agreement between ourselves and the land councils and the traditional owners. That is a political fact of life. To pretend for a minute that that could happen in 1990 or, I would say, even up until the middle of the 1990s, is really taking a big bite. It would be terrific if it could happen but, politically, it is just about out of this world. I am not saying that we should not continue the discussions, the promotion and the negotiations. That will all have to continue but, until we get to a point where the vested interests, and I cite the land councils, have an agreement with us about that act being patriated here, or until a sympathetic federal government is prepared to return it anyway, then that is not a proposition that people will buy.

I turn to the Nabalco agreement. The Chief Minister would know better than anybody that this is not an easy matter because he has been involved in the Nabalco discussions, as have all the people who were involved at the formation of self-government. It is not a piece of cake. We have Australian participants and an international company, Aluswiss, which has an agreement with the Commonwealth under federal legislation. In so far as transferring that legislation to this House is concerned, it does not have to agree to anything unless it suits it. Both National Liberal Party governments and Labor Party governments have made it patently clear that they are not prepared to transfer that legislation over the heads of the participants in the consortium, and certainly not without the approval of Aluswiss which is the international partner in the agreement, because they believe they would be abrogating an international agreement. Thus, it behoves us to obtain an

agreement with those parties on transferring that legislation to the Northern Territory or it will not happen.

It is complicated further in the sense that, since that agreement was made and enacted in law, Aboriginal land rights have played a major role and Aborigines too would be party to any discussions, whether we like it or not. Those are political facts of life. If we think that that sort of discussion will occur in the next 12 months and be concluded even in the next 2 years, then that is simply a big joke. It will not. No one knows better than the Chief Minister how hard it is to negotiate with the participants in the Nabalco agreement.

So far as national parks are concerned, it would be absolutely ideal if we could assume control of them tomorrow. I do not have the hang-up that other members have about how much money is being spent on them and how the Territory should look after them. However, I concede that, again, there has to be a coming together of the Aboriginal interests in the parks, the Northern Territory government, the community and the federal government through its National Parks and Wildlife Service. If we do not accept that, there is no way that we will achieve agreement. We need to have those discussions, and they will not occur until everyone is of a mind to transfer this control.

The Chief Minister did not deal in much detail with the representation issue but certainly it is an issue that has to be given a fair amount of weight in the next year or 2 by all the parties concerned if we are to advance the statehood issue. It will be very hard for us to get the Commonwealth government, the opposition parties or the states to talk about anything if we cannot agree among ourselves about the level of representation that we can expect. This is the bottom line, and I have said it a dozen times publicly and I have written about it: if we are prepared to concede that the Commonwealth will deny us 12 Senators from day 1, then we do not want statehood. That is very simple. I do not know of anybody in the federal political scene who is prepared to concede us 12 Senators from day 1.

Mr Coulter: 30 extra politicians.

Mr TUXWORTH: Mr Speaker, you can put whatever number you like on it. The federal politicians look at the Northern Territory and say that we must be joking. That leaves us in a very difficult position. Either we can accept that they hold the power to make the final decision and we can ask for that number and take our chances, or we can indicate that we must ultimately have 12 Senators and negotiate an agreement or formula in respect of time or population to achieve that goal. However, we need to settle that issue among ourselves before we can go near the Commonwealth. Certainly, it needs to be a part of the total discussion in advancing the issue of statehood.

Members who were here at the time of self-government would know that the only thing that motivated people to move to transfer powers was the fact that self-government would occur and everybody had to meet the deadline, which turned out to be 1 July 1978. Mr Speaker, you may or may not remember but, shortly before the transfer, the then Chief Minister, Paul Everingham, sent Malcolm Fraser an enormous blister saying: 'The whole thing is a great charade. You believe in it but no one else does, and the transfers are nowhere near ready. If you cannot get yourselves organised, we might as well forget about it'. At that point, Malcolm Fraser started to intervene and things happened. There will be the same sort of lethargy about achieving statehood, and what will motivate people to achieve the agreements and meet the objectives will be the final setting of the date. The date can be moved

backwards or forwards. I have said it before and I will say it again: as far as I am concerned, the date could be tomorrow, but the latest that we should accept is the 1901 date, which is the anniversary of the federation.

Mr Coulter: 2001. Instead of going backwards, go forward.

Mr TUXWORTH: Mr Speaker, I stand corrected by the Leader of Government Business - 2001. That has a certain aura about it which appeals to people. It is an objective that we can aim for and, if we pull it off sooner, because there has been a change of government or a change of heart or whatever, then that will be a bonus. However, to pretend that we can advance these issues with the community in its present state of conflict over them is kidding ourselves.

The Chief Minister knows this better than anybody, and he knows that we will not achieve any advancement towards statehood until there is complete agreement among people like ourselves and many others. I say to the Chief Minister that the 2 independent members and the member for Flynn and myself are not even parties to the statehood discussions. We are not bound by any of it and we are not involved in any of it. Yet, the member for Nightcliff said that members of this House know what they should do and they must go out and do it. I say to the member for Nightcliff that that is twaddle. I am not bound by any of it. In his address today, the Chief Minister said: 'Given the commitment of this House to the constitutional development of the Territory, it goes without saying that I would expect full and unqualified support for this approach'.

Mr Perron: I thought you were here in support of your constituents.

Mr TUXWORTH: Mr Speaker, I am here to support my constituents, and they are not saying what the Chief Minister is saying.

If we are to have a unified approach, then everybody must be put into the constitutional picture. If the Chief Minister does not want to do that, he must take what he can get. As the Leader of the Opposition said, there must be consultation with the members of the committee first. Mr Speaker, however you look at it, this is a pre-emption of anything that this House or this committee might like to decide in relation to the advancement of statehood.

Mr Perron: It is not statehood.

Mr TUXWORTH: It will be statehood, and to pretend that you will achieve it without linking it to statehood is the sort of nonsense that the community will not accept. People are not stupid. You cannot feed them contradictory hogwash, served a couple of months apart, and then expect them to follow along as though everything is progressing well. You cannot make totally contradictory statements like those that I read into Hansard a few minutes ago. You cannot expect the people to follow along because the move to statehood is going well and then make a further announcement which indicates that even the members of the Select Committee on Constitutional Development and the other members of this House have no idea what the government is proposing. The people realise that that is merely a political gimmick that has been dreamt up on the day.

Mr Speaker, it does not matter who the politicians are; if statehood is used as a political gimmick, nothing will be achieved. That is a bare political fact of life. I accept the Chief Minister's offer to depoliticise the issue and become involved in it. I think that would be good for the

community because people need to see some consistency and stability in the advancement of the issue. But, the proposition that has been put forward so far by the Chief Minister is not believable. It might be something that he would like to attain, and I do not deny him the right to that for 1 minute, but it is not believable and, until we bring statehood back into a mode where the community wants it, believes in it and supports it, we will not get anywhere.

Mr SETTER (Jingili): Mr Speaker, this afternoon, members on the opposition benches have been writhing around trying to defend the policy that their annual conference, which is dominated by left-wing delegates, put in place in 1987: that the Northern Territory not achieve statehood before 2001. That is what it is all about, and that is why this amendment has been moved by the opposition. It is an absolute nonsense. It has nothing to do with attaining full self-government powers at all. The purpose of the amendment is to ensure that members of the opposition do not get out of kilter with the left-wing bosses of their political party. Of course, they are terrified of statehood because they can recall, quite sadly, that the Northern Territory fought an election in 1977 on the issue of self-government. This party promoted self-government and they opposed it totally, and lost the election. As a result, a predecessor of the Leader of the Opposition, the then member for Millner, very quickly departed the scene. The current Leader of the Opposition is very much afraid that his fate will be similar to his predecessor's and therefore he is not very keen on statehood for that reason as well as the one I mentioned before in relation to party policy.

What is clear from this debate is that the members of the opposition and the member for Barkly are confused, either wittingly or unwittingly, about the issue of statehood as opposed to achieving control over full state-type powers - in other words, full self-government. That is what the Chief Minister's statement is about. That is what he is promoting. He is not saying that we want statehood by 1 July 1990 at all. Statehood is something that is further down the track, but there is no reason why we cannot achieve full self-government by that time. As the Chief Minister has rightly pointed out, the federal parliament could pass amendments to legislation to enable this to happen. Indeed, it is quite difficult to negotiate these matters and, as he pointed out, perhaps we will not achieve all of those objectives by the date that he has set but, nevertheless, there is a goal to aim for and I am quite sure that, with the support of this House, our officers and our ministers will be working with their counterparts in the Commonwealth to try to achieve that. I believe that we will receive a considerable amount of sympathy from Canberra.

The Leader of the Opposition referred to a stop-start approach on the part of the government and, indeed, the Chief Minister. Again, that is a furphy. It is a nonsense. The reality is that the Select Committee on Constitutional Development has been working for several years now. This government has totally supported the work of that committee, and it has come a long way down the line. He drew attention to the fact that the Chief Minister chose not to sit on the committee. Of course, in that, the Chief Minister was very quickly followed by the Leader of the Opposition, who chose also not to sit on it. Nevertheless, that does not detract from the hard work of the committee. The committee is still in place. It is still carrying out its function, it is still ...

A member: And it has an excellent chairman.

Mr SETTER: That is right. It has an excellent chairman. It is a worthwhile committee which is working very hard to fulfil the obligations that have been imposed on it. In fact, as honourable members would know, the committee will visit most of the Aboriginal communities in the Northern Territory over the next 3 to 4 months, and that is no mean task. The member for Nightcliff, the chairman of the committee, foreshadowed that he would like the committee to visit those communities again later in the year. It should be remembered that the committee has already visited most of the urban communities in the Northern Territory.

A week or so ago, the Sunday Territorian reported Senator Collins as saying that statehood should not be achieved before 2000. Once again, Senator Collins was espousing the policy of his party which was established by a left-wing-dominated annual conference. The Senator was also watching his own back.

The Deputy Leader of the Opposition today spent almost 20 minutes reading out the titles of the various acts which would need to be amended by the Commonwealth parliament if the transfer of powers were to proceed.

Mr Ede: Remember them?

Mr SETTER: No, I do not remember them at all.

Mr Ede: That is not surprising.

Mr SETTER: I do not need to, because you read them into Hansard and, if I ever need to remember them, I can read them there. That was about the only constructive contribution you made to the debate. Everything else you said was absolutely shallow and a waste of this House's time.

Mr Ede: It is more than you have ever managed.

Mr SETTER: There would be some in this House who would disagree with you.

We then heard from the member for Barkly, who shared the confusion of the Leader of the Opposition. He could not work out whether he was talking about statehood or the transfer of full powers of self-government to the Northern Territory. There is no doubt that the transfer of those powers is long overdue and that 1 July 1990 is an appropriate date. We have had 10 years of, dare I say, partial self-government. Back in 1978, we achieved 90% of the powers applicable under self-government, and the remaining 5% to 10% are those which we now want. We have been without those powers for 10 years and, in that time, this government has built up a wealth of experience. Its record demonstrates a proven ability to control the welfare of the Northern Territory and its people. The opposition, however, has no such record. It has no experience whatsoever except in badmouthing this government and the Northern Territory, in talking down the economy and criticising every program that is proposed. Of course, the community at large realises that the opposition's credibility is now at an all-time low.

The transfer of all state-type powers is an essential further step towards achieving statehood. We need to take control of those powers in order to let the dust settle and to gain experience in handling those functions which the Chief Minister mentioned so that, at an appropriate time in the not-too-distant future, we can move towards statehood. That transfer of powers will not detract from the good work of the bipartisan committee of this House in any way. In my opinion, that committee should continue its work to

its ultimate conclusion and, as one of its members, I certainly intend to continue to play my part in its evolutionary process.

Let us have a look at the history of the Northern Territory and at the agonies and frustrations which have brought us to the point at which the Chief Minister has stated that his government will push for the attainment of full self-governing powers by the middle of next year. Let us go back to 1824, when Captain Bremer took possession of the northern coastline for Great Britain, as part of the colony of New South Wales. Let us go back to 1863, when control of this Northern Territory was transferred from New South Wales, believe it or not, to South Australia. I remind you, Mr Speaker, of the year 1910, when those responsibilities were transferred from South Australia to the Commonwealth, because they were too onerous.

Mr Ede: It was 1911.

Mr SETTER: My information is that it occurred in 1910, but I am prepared to stand corrected.

In 1947, the Northern Territory's first Legislative Council was created with 7 appointed and 6 elected members. In 1974, the first fully-elected Legislative Assembly of 19 members was created, and there are some members in this House today who were elected at that time. We then come to 1 July 1978, when the Northern Territory was granted self-government with the limited powers which we have heard discussed today.

Over many years, the people of the Northern Territory have experienced an enormous amount of frustration because of control from other places. Since we achieved partial self-government in 1978, what have we seen? We have seen strong growth and development. We have seen local decision-making. We have seen enormous expressions of confidence in this place and we have seen much growth occur as a result of the powers handed to this Legislative Assembly. Now, we are asking for the few remaining powers to be passed over to us so that we can fulfil our true and rightful destiny of making decisions for the Northern Territory of Australia and of controlling all matters which are rightfully the responsibility of all states in this Commonwealth.

The turning point in this exercise was that unfortunate day in 1983 when a Labor government was elected to power in Canberra. Shortly after that, the Memorandum of Understanding, which we thought was set in concrete, was torn up and cast aside. Major projects were cancelled, despite promises made by Prime Minister Hawke. We have suffered massive funding cuts and, of course, the benefits of self-government have been diminished. We have had enough of that. We want to gain control of all state-type rights and powers. It will be no easy task. As the member for Barkly pointed out, there are bureaucrats in Canberra and other people who will not want to let go because they have seen the Northern Territory as their playground. Let us face it, the ANPWS does not have much to administer outside the Territory, apart from a few parks around Canberra. The bureaucracy really fought a rearguard battle when we achieved self-government in 1978 and I am sure that it will fight a similar battle before any further powers are transferred to us. However, we too know how to fight battles because we have been fighting them for a long time. If they want to fight, they will really have a battle on their hands because we will not take it lying down.

The reality is that we cannot achieve full self-government without all of those powers being transferred to us. The Chief Minister covered a range of issues. He spoke about transferring the responsibility for all land, for all

mining matters, for national parks, for industrial relations, for the appointment of the Administrator and the powers of the Commonwealth to instruct him and a number of other matters. I would like to take up one point made by the Leader of the Opposition when he referred to Aboriginal land rights. He quoted from a document entitled, 'A Discussion Paper on a Proposed New State Constitution for the Northern Territory'. He mentioned one of the options that has been proposed in that public document. I would like to point out that another of the options, which is mentioned in the summary section at the beginning of the paper, also refers to Aboriginal rights. I quote from paragraph S(a):

In the absence of Commonwealth land rights legislation applying Australia-wide, the select committee in broad terms endorses [the] approach [that the Aboriginal Land Rights (Northern Territory) Act 1976 be patriated to and become part of the law of the new state upon the grant of statehood by some agreed method and that the process of patriation should include appropriate guarantees of Aboriginal ownership].

Thus, the committee endorses the patriation of Aboriginal land rights legislation to the Northern Territory at some time. I think that is a very important point.

One factor that has concerned me about the transfer of rights to the Northern Territory is the question of where the Cocos and Christmas Islands sit in this whole scenario. I note that the Chief Minister did not mention that in his paper, but I raise it now because it is my opinion that, as far as the Northern Territory is concerned, we have seen the creation of one of the greatest gerrymanders ever perpetrated in Australia. The federal government has attached these islands, which are out in the middle of the Indian Ocean, to the Northern Territory as part of the federal seat. They are not part of the Northern Territory. There are 600 electors there and I understand, from reading the electoral records, that they vote very heavily in favour of the Australian Labor Party. Why have they been attached to the Northern Territory?

If they are to be attached to the Northern Territory as part of this whole exercise, they should come under the administration of the Northern Territory. The Commonwealth should transfer them totally to the Northern Territory and let us administer them. There is no point in having them as part of the Territory for the purposes of voting so that the Labor Party can load the Northern Territory seat to suit itself. That is not on! Let us administer them. Transfer them over and we will look after them. If it is not prepared to do that, then the federal government should remove them from the Northern Territory totally and put them with Canberra or with Western Australia where they rightfully belong. Let us end this nonsense. Let us hear what members opposite have to say about that. Either those islands are part of the Northern Territory or they are not.

There is no doubt that the road to statehood is complex and will prove time-consuming. However, what the Chief Minister has proposed today is indeed a very constructive step towards achieving that. I support the statement.

Mr COLLINS (Sadadeen): Mr Speaker, let me say at the outset that I find the Chief Minister's statement to be very useful and logical. It explains virtually every area in which Northern Territorians do not have control of their own destiny. It points out very clearly what we lack and the difference between statehood and the partial self-government that we have. I hope the

Chief Minister will circulate his statement in the community because it is not long or difficult to read and understand. I believe Territorians would read a statement like this whereas we kid ourselves if we believe that more than one tenth of 1% of Territorians will ever read some of the documents put out on this matter, because of their complexity. I do not think the man in the street gives a tinker's cuss about them. He will not become involved to that depth. This is a very logical statement which should be circulated to Territorians and also to people interstate. I have found that, when people interstate understand the difference between our partial self-government and statehood, they come very heavily onside and agree that we should have the same powers that they have. I welcome the document from that point of view.

However, there is no doubt that for us to obtain statehood will require the political will of the politicians in Canberra or the majority of them. In other words, the federal government will have to be onside and say that the Territory should have statehood. When that happens, all things will be possible. I listened with interest to the member for Barkly's comment that, a few days before 1 July 1978, the Chief Minister at the time, Paul Everingham, rang up Prime Minister Fraser and said that it would not work. Malcolm said that it would work and told him to jump. It did happen and it was a success. That brings me to another point. We have heard considerable talk today about bipartisan support. That is lovely, but it is not political reality. What will be required will be a democratic majority. If we wait until everybody is in total agreement on every aspect of self-government, we will never get it in a blue fit.

The statement indicates that it is the Chief Minister's aim to approach Prime Minister Hawke and ask him to give us full self-government. What a terrible pity it is that the former Primer Minister, Mr Malcolm Fraser, gave us only partial self-government. We would not be debating this statement today if Mr Fraser had given us complete self-government. Maybe, at the time, many of our politicians were inexperienced. However, if our fellows had been bold enough to put the acid on Mr Fraser to give us complete self-government, we could have had statehood within 5 years, as Mr Fraser had promised.

I also recall that, in the party room of the government - and I was a member of it at that time - the Chief Minister, Paul Everingham, said: 'I don't know about you blokes but we have this Memorandum of Understanding and we are doing pretty nicely'. He did not intend to push further for statehood. In hindsight, what a pity that was! That was a political decision, not a statesmanlike decision. Forward thinking would have indicated that the day would come when there would no longer be a reasonably benign government in Canberra which would keep funding the Memorandum of Understanding, which was only a gentleman's agreement. It should have been foreseen that the day would come when we would find ourselves in icy waters, and that day has come.

In my view, there is no point in trying to obtain from Mr Hawke these total state-like powers because, given his record, he will not grant them. I refer honourable members to the referendum that occurred last year and to a speech I made at that time in which I pointed out that what the questions in that referendum were really about was Mr Hawke's political agenda, stated in the Boyer lectures many years ago and reiterated, might I say, by the Governor-General, Sir Ninian Stephen, in recent days. He said that we are overgoverned; that we should simply have regional governments and a central government in Canberra, and the states should go. Does the Chief Minister really think that he will receive any real support for the creation of a new state from Mr Hawke, who wants to get rid of the states? I say no.

The first and foremost step that our Chief Minister and all of us on the conservative side of politics have to take is to work towards a change of government in Canberra because, without that, there will not be the political will in Canberra to achieve what we want. It is not there today. We have to do our bit to return a conservative government to power in Canberra. Even then, we would not be able to rest on our laurels because we would have to work very hard on those fellows. We have a hard task before us. I say to the Chief Minister, unpalatable though it may be, if he is serious - and I know he is - he must do his bit. Some goodwill has to be developed, not among the socialists, but from the conservative side of politics in this House and out in the community. The comment on the lips of people is that we will throw away government if wrangling among the conservative forces is not brought to an end. Wouldn't it be a shame if the coalition missed out on government at the next election because the wrangling on the conservative side of politics in the Territory lost us the Territory seat? That is the situation. We need to return to some sanity and achieve a change in government in Canberra because, with the political will in Canberra, full statehood would be achievable, not merely the transfer of further powers. What would be the point in having those powers without statehood?

The member for Stuart pointed out the number of laws that would need to be amended. If we go to statehood, it would be necessary only to repeal them because those strings with which we are tied to Canberra would be cut and removed. That is what we have to aim for. I urge the the Chief Minister not to waste time and funds on going to Canberra to talk to Mr Hawke, whose political agenda is to dispose of states, not to work towards creating them. If we had seen what was described to me as virtual hatred on the Prime Minister's face when the referendum result was known, we would appreciate how much he ties himself to getting rid of the states and having power concentrated in Canberra. We should be leading Australia in saying that we have had enough of that. Let others learn from our experience and not buy it in a blue fit.

I welcome the paper from the Chief Minister. It should be circulated to all Territorians and Australia-wide if that is possible. It is simple and straightforward enough for people to understand and I believe it would receive tremendous support. I urge the government to forget about total bipartisan support because it will never achieve it. It will be used as a device to hold the move back until 2001. It is very safe for Senator Collins to commend a target date of 2001. He knows that Bob Hawke does not support statehood. He just made a great noise. The date is another 12 years into the future and it could be pushed back even further. He gained considerable media publicity from that comment and for no good reason whatsoever. We should not be debating statehood; we should have it. We should have become a state by 1980, or 1982 at the outside. These things are all possible. A constitution and everything else can be worked out after a date has been set and the political will established. The first and most important step for the conservative side of politics is to work towards returning a conservative government to power in Canberra. When that is achieved, we must work on that government to achieve our goal.

There has been comment that we will not be a state until we have 12 Senators. I support that comment, but I am also prepared to take a step-by-step approach in which every step is a forward step. There will not be any going back. As the Chief Minister suggested, if we can obtain 4 Senators and 2 members in the House of Representatives and see an agenda set, if the agenda does not suit us, we will keep on fighting as we have fought all the way. I remind you, Mr Speaker, that Harold Nelson, the father

of Jock Nelson, went to prison because he said that, unless Territorians had representation, they would not pay taxes. His imprisonment forced the issue and Harold Nelson became our first elected representative. That is the sort of spirit that we require in order to achieve statehood.

Every step has to be a step forward. From talking to federal politicians from the coalition, it is clear that they would have trouble achieving support for the proposal only if the Territory demands 12 Senators from the start. I am prepared to take 4 senators at this stage, and then fight like hell to obtain the other 8 and thus achieve full representation. Every gain in our history has been fought for on a step-by-step basis. If we think we are going to swallow the whale and demand 12 Senators or nothing, then we are fools. The political reality is that we will have to begin taking some of the unpalatable medicines. Some of the hurtful statements that have been made will need to be taken back. We must forget our own little hurts and indignities and start to instill some common sense into the conservative side of politics so that we play our part in returning a conservative representative to the House of Representatives. That is the first step. Everything else is pie-in-the-sky until we have that political will. The one thing that Territorians can do is fight to return the coalition to power and then really hammer it to do all the things necessary to achieve our aim. Chief Minister Everingham said that self-government would not work, but Malcolm Fraser said that it would happen, and it did. That will happen for us in relation to statehood if we get our act together. It is up to us to grow up and get our act together.

Mr BELL (MacDonnell): Mr Deputy Speaker, I am very pleased to see that the Chief Minister has put the matter of statehood back on the agenda. When he became Chief Minister, after the demise of the member for Nightcliff, one of the more surprising statements from the member for Fannie Bay - and this was reported again in the NT News last night - was that statehood was not a high priority for him. He said that, unlike his predecessor, who had worked very hard at attempting to obtain consensus in the Territory community in relation to statehood, it would be much less of an objective for him.

Who can forget, Mr Deputy Speaker, some of the more surprising and flamboyant gestures of the member for Nightcliff as Chief Minister when he was promoting the idea of statehood? Some people were so unkind as to suggest he was promoting himself and, obviously, that was the thought in the mind of the member for Fannie Bay when he became Chief Minister. A great deal of effort was put into the insignia on motor cars. It was a real blast from the past on the ABC News last night to see the motor car with the winged eagle. By the way, are they still about anywhere? I have not seen one for a while.

A member: There is only 1.

Mr BELL: They are gradually being phased out, are they? I think that is unfortunate even though the artwork involved was a little kitsch for my taste. I do not know whom I am offending in that regard, but let me be honest about this. I thought the artwork was a little kitsch but, basically, the direction in which the then Chief Minister, the member for Nightcliff, was heading was the correct one. He had been researching the issues and he had presented his statements to the parliament. The issues were certainly stimulating more interest and achieving more coverage in the broader community than they had beforehand.

However, with the advent of the member for Fannie Bay, all that came to a dead halt. That was surprising. The new Chief Minister, with the fate of our

push towards statehood in his hands, dropped the bundle and decided that it would not be a high priority for his government. All of sudden, within a week or so, he has done an about-turn. As the Leader of the Opposition pointed out, it has been not without pain for the CLP. Its secretary and president have been at each other's throats over the issue and now we find the Chief Minister has decided to run with it again.

The statement introduced by the Chief Minister this morning contained a couple of interesting points. He stated that 'the constitutional evolution of the Territory began in 1974 with the creation of a fully-elected Legislative Assembly'. That is one of the more astounding bits of egocentricity that I have heard from the Chief Minister. I appreciate that all of us involved in public life need to have a pretty robust sense of self-importance in order to survive some of the slings and arrows but, for the Chief Minister to bolster his ego by rewriting history, is a little bit much even for the run-of-the-mill politician. The fact of the matter is that the constitutional evolution of the Territory has been continuing since the foundation of the ...

Mr Deputy Speaker: 1947.

Mr BELL: I will pick up your interjection, Mr Deputy Speaker. I would not have said 1947. I would go back as far as 1834, when the state of South Australia was created. I suppose our constitutional evolution reached its nadir when South Australia dropped its bundle in 1911. Arguably, between 1834 and 1911, the Northern Territory had greater control over its own destiny than it has now. There are, of course, other significant dates, one of which would be the granting of responsible government in 1856. Having reached its nadir in 1911, the Northern Territory's constitutional evolution continued through the efforts of one of the great pioneers of the Labor movement in the Northern Territory, Jock Nelson.

In fact, federal Labor governments have presided over positive constitutional development in the Northern Territory. I draw a distinction between constitutional evolution, which simply means change and not necessarily change for the better, and constitutional development which, I believe, means enhancing the opportunities for people to participate in decisions that affect their lives. The fact is that the Labor movement and federal Labor governments have presided over those changes in the Northern Territory. The member for Sadadeen referred to Harold Nelson. The next substantial improvement in the constitutional situation of the Northern Territory occurred in 1948 when the Chifley government created the Northern Territory Legislative Council and provided for the election of members to it. For people such as the Chief Minister, whose understanding of Australian history and constitutional development is pretty sketchy and who really only sees it as a cause for grabbing a cheap political point, that was the second point at which the Labor movement came to the rescue of the Northern Territory.

A third constructive contribution to the Territory's constitutional development, overlooked by the Chief Minister and previous speakers of the conservative persuasion, was made by the much-reviled Whitlam Labor government, which established the first fully-elected Legislative Assembly in the Northern Territory. With his myopic view of history and constitutional development, the Chief Minister omitted that important step from his short time line.

Having demonstrated the good faith of Labor governments in contributing towards constitutional development in the Northern Territory, I turn now to

the difficult questions related to the issue of constitutional development. The matter of representation is among those. There seems to be a developing consensus that we are prepared to defer the possibility of state-type representation in the Senate. I have spoken on frequent occasions in this Assembly about the gross over-government of the Northern Territory and it is very refreshing to see that even government members, who normally have an obsession about over-government, at least appear to recognise that, to any clear-thinking person, the notion of 12 Senators for the Northern Territory is an absurdity at present.

The Chief Minister referred to the possibility of there being 2 members of the House of Representatives for the Northern Territory. He does the credibility of his recently-acquired interest in the question of statehood and constitutional development no good at all when he simply plucks such a figure from the air. He should know that there is no possibility of increasing our membership in the House of Representatives until we have the numbers to justify that.

Mr McCarthy: We have the numbers now.

Mr Poole: We have the numbers for 1 more, not on the electoral roll but on a population basis.

Mr BELL: Mr Deputy Speaker, for the benefit of the government members who are interjecting, whilst I do not have the figures in front of me, my understanding is that the quota for 2 House of Representatives seats is in the vicinity of 60 000 to 70 000 people.

Mr Poole: Head of population, not on the electoral roll.

Mr BELL: Mr Deputy Speaker, I will pick up that interjection in a minute but I will finish making my point first.

The fact is that we have about 70 000 people on our electoral roll. The members for Araluen and Victoria River have suggested that representation in the House of Representatives in the Northern Territory should be on the basis of overall population ...

Mr Poole: As it is in the other states.

Mr BELL: ... and not the same as it is elsewhere.

Mr Poole: That is not true.

Mr Dale: Check it, Neil. You will find that you are wrong.

Mr BELL: Mr Deputy Speaker, if other honourable members have figures which gainsay that, they are most welcome to put them forward. Incidentally, Mr Deputy Speaker, I get sick and tired of conservative politicians who, in the case of these suburb-bound little hicks, basically believe ...

Mr MCCARTHY: A point of order, Mr Deputy Speaker! I ask you to request the member for MacDonnell to withdraw that remark.

Mr DEPUTY SPEAKER: There is a point of order. I ask the member for MacDonnell to withdraw his last remark.

Mr BELL: Mr Deputy Speaker, I am tired of hearing the views of people who are hidebound in their little suburban fastnesses and who are characterised by a psychological myopia which means that they have absolutely no capacity to apprehend some of the realities of representation of people around this country. It is about time that they understood that, despite the attacks which conservative parties have made over the years on the principle of one-vote one-value, they will not get away with it even if their so-called Liberal mates in Canberra ever get back into power. I do not see too much possibility of that ever happening, and that is indeed something for which the Australian people should be grateful.

A few things need to be said in relation to the operation of the Aboriginal Land Rights Act. I am sure that not even a federal Liberal government would entrust the Aboriginal Land Rights Act to a government led by a Chief Minister as willing as this one is to bulldoze Aboriginal sacred sites. I would not be able to keep a straight face in suggesting to my colleagues in Canberra that the Aboriginal Land Rights Act ought to be devolved to people who behave like that. I would not be able to keep a straight face in trying to pretend to them that a government which was about to repeal the Aboriginal Sacred Sites Act - although it has just pulled back from the brink on that little number - could be entrusted with responsibility for land rights. I do not believe that even the federal conservative colleagues of members opposite would cop the devolution of the Aboriginal Land Rights Act to this government.

One of the most constructive steps towards constitutional development in the Northern Territory will be a change of government, and that is not too far down the track. Until we have such a change of government, the polity in the Northern Territory will not be regarded as a mature one. The devolution of those contentious powers of control over national parks ...

Mr Poole: We know the Labor Party looks after them.

Mr BELL: I see the member for Araluen grinning at me. His little statement in January did absolutely nothing to advance that particular cause. All his statement achieved was to confirm the suspicions of people right around this country, who will be involved in decisions about increased powers for this legislature, that the Northern Territory is being governed by a pack of people to whom one would not trust one's local rates.

I will finish on that note. The constitutional development of the Northern Territory will be enhanced when members opposite are removed from office. It will not be enhanced if it is replaced by the pretender party, the Territory Nationals. That will be of no advantage whatsoever. When that change of government occurs and the Territory polity has demonstrated a capacity to move from one side to the other, statehood will be much further advanced. I do not envisage that taking the next 12 years, to the centenary of the federation of the Australian states. I think it will come far sooner than that and I think that is one of the crucial points that needs to be made in this debate. In those terms, I heartily endorse the amendment proposed by the Leader of the Opposition.

Mr MANZIE (Attorney-General): Mr Speaker, what has been said in this House today leads me to believe that the forefathers of the Australian Labor Party must be rolling in their graves. The democratic processes in this country have been championed by such people as Harold Nelson. They have been championed by members of unions, working class people, the forefathers of the party to which members opposite belong. Yet today we have seen that the

members opposite do not believe that Territorians should have the capacity to govern themselves.

The Chief Minister made a statement which went into some detail about the transfer of the remaining powers of self-government to Territorians - not to the Country Liberal Party, not to the Labor Party, nor to anyone else in this House, but to Territorians, to be exercised through a parliament which they duly elect through the democratic process. We have heard the Labor Party members here express to a man opposition to the concept that Territorians should be like other Australians and should govern themselves. They will regret the words that they have uttered in this House today. I agree with the member for Sadadeen that the attitudes of 1978 have reasserted themselves today. We had an Australian Labor Party opposition that was totally against the process of Territorians governing themselves. They actively promoted a campaign against self-government in the 1978 elections, almost causing an upset. What we saw in 1978 ...

Mr Ede: I believe it was 1977.

Mr MANZIE: 1978.

Mr Ede: 1977.

Mr MANZIE: 1977.

Mr Ede: Thank you!

Mr MANZIE: What we have seen in the 10 years since self-government was granted is the most rapid development of any area of Australia over that decade. In the Territory today, we have some of the best roads in Australia. We have a long way to go. We have some of the best schools in Australia. We have some of the best preschools and high schools and we have the ability to provide tertiary education. Our health system and facilities are second to none. In all areas of our responsibility, we have seen magnificent achievements and development to cater for the needs of Territorians - not to cater to the aspirations of people who live 4000 km away, not to cater to the whims of public servants who answer to no one. This government, elected by Territorians, has been able to serve Territorians through the processes of democracy. In other words, what the people want is what has been achieved. Some 10 or 11 years ago, we received 95% of the powers necessary to govern ourselves totally, with 5% withheld. No argument can be advanced that says that we should not have the rest of those powers transferred.

What was the situation in the 1960s? I am afraid that members opposite were not here then. The member for Stuart is probably a good example. His speech demonstrated the ignorance that he has, not through any fault of his own, but because he was not here. In the 1960s, Territorians did not govern themselves. We had a man who wore a white suit and lived in a building down the road. Every now and again, he would pop out, give a few royal waves and make a tour in the old Austin Sheerline, and we would all grovel in the dirt. A few public servants, who were nominated by politicians 4000 km away, deliberated under this very roof. We had a couple of elected members who had no power. Unlike that group opposite, they were not concerned about party politics. Like people on this side of the House, they were concerned about Territorians. Their whole aim was to improve the democratic processes, to allow Territorians to govern themselves and to provide mechanisms by which the operations of members of this House would reflect the will of Territorians.

I remember the days when I did not have the rights of other Australians, when my vote meant nothing and the aspirations of my family were not taken into account. What was taken into account was what was determined by people 4000 km away. In 1977, a commitment was given by the federal government - and it was not given without a struggle - that we would have self-government.

I note that not even 1 member of the opposition is present in this Chamber for this important debate on the future democratic processes of this Territory.

Mr Dondas: It is their own amendment.

Mr MANZIE: They are not even here, Mr Speaker, and that reflects their attitude towards the whole process. They do not want to know about it. We do not intend to let it rest there. We will ensure that people in the Territory know what has been said in this House today and that the opposition does not believe Territorians are capable of looking after their own affairs but should be controlled by people 4000 km away. Mr Speaker, we will make sure that what has been said by those members opposite is transmitted around the Territory.

Let us have a look at what is proposed for this transfer of further powers. First, there is the appointment of the Administrator. It is proposed that the Administrator should be appointed by the Governor-General and only after consultation with the Northern Territory government. That makes quite a lot of sense. A more important proposal is that the power of the Commonwealth minister to instruct the Administrator be removed. Fancy a Commonwealth minister having the power to instruct the Administrator of the Northern Territory on what he should do in relation to legislative matters. We saw and heard members of the Australian Labor Party almost commit ritual harikari when the Governor-General had the audacity to dismiss their government on 11 November 1975. Mr Clerk would remember the day well because I believe that he was present and actually involved. The principle of a nominated representative of the Crown having the ability to direct a government was something that many members of the Labor Party fell out of their tree about, and I agree. Any interference with the democratic process must be viewed with great care because the ultimate authority must be the people. The proposal is that the Commonwealth minister's power to instruct the Administrator be removed. Did that receive any support from the ALP? Not on your life, Mr Speaker.

What about the situation in respect of national parks? We have 98 parks and reserves in the Northern Territory, and recently the NT News completed a series of articles on those parks, indicating what magnificent areas they comprise. The employees of the Conservation Commission do a magnificent job in maintaining and developing those parks and ensuring that the environment within them is protected and preserved for the use of all Australians. We do an excellent job. Not only interstate visitors but also international visitors have paid tribute to the work that is done in our parks. However, 2 of our parks are controlled by public servants situated 4000 km away. They are controlled by people who have no other experience in controlling parks anywhere. They are not even permitted to operate the parks and gardens in Canberra, but they are permitted to operate and control totally 2 parks in the Northern Territory. These officers respond to the wishes of Territorians to such an extent that we have a road between Ayers Rock and the Olgas which is about 2 m below the surface of the rest of the country, and which is corrugated to such an extent that it destroys vehicles worth hundreds of thousands of dollars on a regular basis ...

Mr Poole: It kills people.

Mr MANZIE: It causes death and injury and destroys the flora with great clouds of dust which are too thick to see through. That is an example of how an administration 4000 km away looks after one of our parks.

What about Kakadu? We have been reading comments lately about some of the problems of Kakadu. We still have problems in relation to accommodation there. Promises were made years ago that \$70m-worth of work would be done, and what do we have? A few barbecues and a few roads. We are talking about an area that is twice the size of Cyprus. We are talking about an area which is nearly twice the size of Lebanon. We want to put some high-tension wires through it. Kakadu is bigger than 30-odd countries that are members of the United Nations. We want to put one powerline through it, but we are not permitted to do so. That powerline could reduce the cost of electricity for Territorians by many cents a kilowatt hour, but someone 4000 km away has decreed that we cannot do that.

The suggestion that, even though we manage 98 parks in a manner which attracts people from around the world, we cannot run the other 2 is ridiculous. It makes a total mockery of the democratic process. There are 60-odd people employed in Sydney in relation to the administration of the parks. Members opposite say that we cannot be trusted to run those 2 parks and we will never be allowed to do so until we guarantee the funding. The Chief Minister said plenty about that, but it is indicative of the attitude of the members opposite who do not believe Territorians are capable of looking after 2 parks. To rub a little salt into the wound, federal people are making decisions about charging Territorians to enter Kakadu National Park. It was \$10 a head and now we are down to \$5 a head. How absolutely ridiculous! Do we have a say in it? Not a hope. Someone 4000 km away says: 'Let us charge those mongrels \$5 a head'. Any suggestion that Territorians might look after the park is ridiculed.

Everywhere else in the country, mining is controlled by the government of the state in which it occurs. The Territory government controls mining with the exception of uranium mining and offshore mining. We can look after the rest of it, which is worth billions. There is no problem with that and we do it very well. But, heaven forbid, we are incapable of looking after uranium and offshore mining. That has to be controlled by people 4000 km away, and the opposition agrees. We are not talking about members of the CLP government or members of this House. The constituents of members of this House are not considered mature enough to look after their own affairs.

In relation to minerals on Commonwealth land, the statement is quite clear. Industrial relations is no problem. However, the situation in regard to land is absolutely absurd. Where else would control of half of the land mass be left in the hands of people 4000 km away? Other Australians would not tolerate it. The forefathers of members of the ALP here would not have tolerated it. We have already heard about Harold Nelson. We should all be proud of Harold Nelson as a Territorian who knew what individuals crave. They crave the ability to control their own destiny. He was willing to go to jail for the principles of democracy - no representation, no taxation. Right throughout history, the Eureka Stockades and the Russian Revolutions have been brought about because people have been denied the ability to control their own destiny.

What do we have here? People are saying that Territorians are incapable of democratically controlling all aspects of their lives. It is unbelievable

stuff, but it has been said by speaker after speaker. We heard the member for MacDonnell talk about gerrymanders. We are aware of the situation in WA and NSW where the ALP has only to win about 47% of the vote. We have the most appalling example of electoral manipulation seen in this country imposed on Territorians. We have had Christmas Island and Cocos Island placed in our electorate deliberately for the purposes of federal elections in order that the vote can be manipulated to the benefit of the ALP. I believe that example really shows what members opposite are all about. They do not believe in democracy. They do not believe in Territorians having a say. They believe in gerrymandering the electorate, and they believe in denying Territorians the ability to contribute to their own democratic processes.

We really do not need to say too much about Aboriginal land. How can people in this Chamber say that people 4000 km away should make laws which do not affect them in a place which has 1 representative from the Territory? They make laws that control Territorians. Until Territorians have the ability to control all land matters, we will not have the rights that other Australians have.

Federal representation is a matter of numbers. We know that we must have full Senate representation when we have statehood. It is not a matter of agreeing to half; we must have total Senate representation. The idea of the Senate was to have a House which balanced the larger states against the smaller states to control the influence that states with larger populations may be able to exert in relation to the smaller states. When Western Australia received its total quota of Senators at federation, it had a smaller population than we presently have and the same applies to Tasmania. The whole concept of statehood requires that we have full Senate representation.

But, Mr Speaker, we are not talking about statehood at this stage. We are talking about the transfer of powers for full self-government. It is a step that needs to be achieved, and it needs to be achieved now. It can be achieved very simply. If 90% of self-government could be achieved in 7 months, it will take only 7 weeks to work out how to transfer all the powers remaining.

Mr Ede: Come on!

Mr MANZIE: Mr Speaker, the comment of the member for Stuart is indicative of his attitude. He was not here when we did not have any representation. We must all ensure that we provide the impetus for Territorians to have a full say in their own affairs.

Mr LANHUPUY (Arnhem): Mr Speaker, I support totally the amendment circulated by the Leader of the Opposition. I believe that all members of the Select Committee on Constitutional Development support the aims, views and terms of reference laid down by this House for that committee. I travelled with that committee throughout the Northern Territory with the former Chief Minister, the member for Nightcliff. We expressed the view to people that the Northern Territory government and this legislature were in the process of trying to achieve statehood for the Northern Territory. There is no doubt in my mind and in the minds of my colleagues that, eventually, we will achieve statehood. What we fear is that this Chief Minister has indicated that he intends to ask the federal government to amend 35-odd items of legislation which affect our lives in the Northern Territory.

The process of consulting my people is a considerable one. The Chief Minister spoke about the agreement in relation to Ranger. The government

constantly uses departmental officers to consult with Ranger Uranium Mines, Nabalco, Aluswiss etc when it wants to make changes to legislation which affects their mining operations. I am sure that the Chief Minister knows that, in the end, he will have to negotiate with the Aboriginal people who are affected by the Land Rights Act.

It took a long time to consult and arrive at the agreement regarding the management of Kakadu National Park by the ANPWS and the mining of uranium in the area. It was a long and drawn out process during which 5 of my people died before the expected benefits from mining royalties were received. Eventually, the land councils had to bring in Dr Stephen Zorn from the United States, who had negotiated royalties on behalf of the Indian people in Denver. He had to explain to some of the people the intricacies of negotiating, the benefits which would occur over a long period and the ways in which royalties could be used to obtain the best results. An expert like that was needed and, unlike the government, the Aboriginal people in the area are not in a position to be able to obtain expert advice on a regular basis. I am sure that the Chief Minister can appreciate that. Those people will not be able to do that in the context of all the legislative changes which would result from the proposals in the Chief Minister's statement.

One of the hard facts of life is that 25% to 30% of the Northern Territory's population is Aboriginal. The Chief Minister and his colleagues have told the federal Minister for Aboriginal Affairs that he should not ram the ATSIIC proposals down people's throats within 1 year. They tell the federal Minister that they support the Aboriginal people of the Northern Territory in their wish to have the proposal deferred until there is widespread consultation. Do they now expect Aboriginal people to sit down and go through those 35 pieces of legislation within 16 months? Are they going to employ people with certain linguistic skills to explain those matters, because I am sure that the NLC and just about everyone else is on the nose as far as the government is concerned? Or will the government use its own educational services in an effort to inform Aboriginal people about the aims which lie behind the Chief Minister's statement?

I think that the Select Committee on Constitutional Development has been doing the right thing in advising many Territorians about the aims of this legislature in relation to statehood. So far, we have given our bipartisan support to the work of that committee. However, it is asking a bit too much of Territorians to expect them to accept these proposals which relate to matters of concern to a large number of people in the Northern Territory. The government's approach worries me. It seems to be rushing, and I do not know what this indicates about the reputation or the standing of the Chief Minister.

I cannot see all these things happening within the next 16 months and I do not think that the people in my electorate, the people for whom I speak, would be happy about them. They are Territorians too, and there is a need for consultation. I was very pleased when the Attorney-General announced his decision to defer the Aboriginal Areas Protection Bill. I was very pleased to hear him say that more time was needed for consultation with the people who would be most affected by the legislation. That is the approach which the government should be taking on the matters we are now debating. It is asking members of this House, the legislators of the Northern Territory, to give our support to a proposal that we achieve statehood by the year 1990.

Mr Perron: It is not statehood, Wes.

Mr LANHUPUY: I think that is a bit worrying. Many people in the northern suburbs do not want what the government is asking for. The Chief Minister can talk to those people about the transfer of powers and about Aboriginal land. They certainly hear about that because this government is always attacking Aboriginal land rights. They certainly hear about the Northern Territory government's wish to control Kakadu. But, has the government ever considered the fact that the people at Kakadu might want to run that park by themselves one of these days? There are Aboriginal people on the boards of management of Kakadu, Uluru and most of the parks in the Northern Territory.

Mr Perron: We put them there. Cobourg Peninsula ...

Mr LANHUPUY: Has it not crossed the minds of members opposite that, one of these days, those Aboriginal people may wish to manage the park as a private enterprise, to achieve their own self-esteem and self-determination? No, they want control to be transferred from Canberra into their own hands.

When the government deals with big contracts or changes to legislation, it consults with a whole range of people but, in this case, that is not happening. That worries me, Mr Speaker. I support the amendment moved by the Leader of the Opposition and I only hope that the Chief Minister does not blindly lead the people of the Northern Territory into an attempt to achieve the transfer of powers by 1990.

Debate adjourned.

OATHS AMENDMENT BILL
(Serial 163)

Continued from 1 December 1988.

Mr LEO (Nhulunbuy): Mr Speaker, the Oaths Amendment Bill is a relatively simple piece of legislation which, fortunately, the opposition agrees to. After some perusal of this legislation, I noted its principal purpose is to deal with the admissibility of oaths by children and unsworn statements by those who have hitherto been classified as children. In a number of very pertinent and, indeed, unfortunate circumstances, children are unable to present evidence concerning their experiences and their testimony can be called into question because oaths have to be administered. I do not know personally of any circumstance where that has occurred but I have been assured that, in some unfortunate circumstances, children's evidence in a court has been ruled inapplicable.

Mr Speaker, with those few short words, I reiterate that the opposition supports this bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I rise also to support the bill. It is a consequential amendment that arose from the findings of Justice Maurice on a court case heard late in 1988. Evidence was required from a minor and it was found that, under our legislation, the court was unable to deal with that evidence because the minor concerned was under the age where a person is deemed to be able to understand the ability to be punished for giving false evidence or committing perjury. It seemed that there was an anomaly in the act. This was pointed out by Justice Maurice in the Supreme Court at that time.

Whilst he made no particular point about the necessity for change, it was fairly obvious that change was required and that we were slightly out of step

with the states in respect of unsworn statements by minors. It was seen fit not only to tidy up the section relating to children under 10 years of age but also to tidy up the section in respect of children under 14 years of age and above 10. I think that the bill before the House at the moment will do exactly what was suggested by Justice Maurice in his report to government to clear up this matter. I support the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to support this bill. I think it is very pertinent given that the subject of child abuse is at the forefront of the news today. I believe that the amendment will clarify the Oaths Act and also clear the way for children under 10 to give evidence under certain conditions.

Under section 25A(1), the present Oaths Act enables a person who cannot make a sworn statement to make a statement provided he or she understands that the giving of false evidence may result in punishment. This would relate to people of low intelligence who may be under the age of 14. In respect of children less than 10 years of age, some are very mature and know the difference between right and wrong. However, there are other children whose description of events may not be as accurate as one would like in a court of law.

A situation was reported in the press recently whereby a child was molested very seriously yet the offender got off almost scot-free. That elicited a very emotional letter to the NT News from the mother of the child. In the same situation, I would have written the same sort of letter. It seemed to be an unfair state of affairs. The police believed the child's evidence and the court officials believed the child's evidence. The child was competent to give evidence but, because the child was under age, the Oaths Act did not permit the child to give unsworn evidence, and the evidence that the child gave was not accepted. I believe there have been other such cases in the Northern Territory as well as in other places. It is very traumatic for these young children to give evidence in these cases of molestation.

What is most unfair is that the people who, without any doubt whatsoever, have committed offences - and I use that expression 'without any doubt whatsoever' - do not always receive their just deserts. Nothing is too bad for them. I believe that people who do not look after children are really sick in the head. In fact, most of them do not deserve to live. It would be fitting if, at some time in the future, a jury for such cases was constituted solely of mothers. In those cases, such people would receive their just deserts. Whether they die by hanging or by the electric chair, these people are not fit to live. If this legislation makes it possible for those people to receive the justice that they deserve for their horrible acts, it is only to be applauded.

I believe that this government has to take a stand - and perhaps this is a stand in some way - on maintaining moral standards in the community. It has been apparent, not only in this particular case where the man who molested that little girl went practically scot-free, but in other cases also, that the government does not seem to be offering any guidance to the community in terms of upholding moral standards. People seem to be free to do things that are anathema to normal family people in the community. I will be saying more about this later in these sittings. This legislation has my support. I only hope that its implementation will result in what we all expect: the people who commit these horrible crimes against children receiving their just deserts.

Mr BELL (MacDonnell): Mr Speaker, I might as well commence my comments on this bill where the member for Koolpinyah left off. I will come back to the substance of the bill which, as the member for Nhulunbuy said, we support.

With every other member of this House, I share an abhorrence for the abominable crimes that occur under the name 'child abuse'. 'Child abuse' has become a generic term for some truly horrible crimes of rape, incest and so on. It has also become a blanket term to cover less serious assaults. The phrase 'child abuse' covers a very wide range of crimes, offences and misdemeanours. As the member for Koolpinyah quite rightly said, we cannot rest easy if anybody who is guilty of that sort of serious crime is allowed to exploit gaps in the law and to walk out of a courtroom free. It is certainly our job in this Assembly, with respect to those occasions in the Northern Territory, to do all in our power to ensure that that does not happen.

However, we need to be equally zealous to ensure that people who may be wrongfully accused - and it does happen - are not wrongly convicted. It is not a simple matter, and I suggest that a simple expression of abhorrence for the dramatic forms of child abuse needs to be qualified and needs to be balanced by consideration for the rights of the accused. As the Attorney-General referred to in correspondence with me about this and related issues, the rights of the accused need to be balanced against the need to be tough in punishing those sorts of crimes.

As other speakers have said, and as the Attorney-General said in his second-reading speech, the central point of the bill before us is to ensure that the court can receive evidence from a person under the age of 10 years, even though an oath or affirmation cannot be administered. The present situation is that a court cannot receive evidence from a person under the age of 10 unless an oath or affirmation can be administered. The Attorney-General provided for me a copy of briefing notes and a transcript from the case presided over by Justice Maurice where, because the oath was unable to be administered to a 7-year-old child, whose identity has been protected by order of that court, section 25A of the Oaths Act could not apply.

The situation is that unsworn evidence can be accepted by the court provided that the witness concerned understands that he or she will be liable for punishment under section 25A of the Oaths Act. Unfortunately, the subsequently enacted Criminal Code gives an objective test for criminal liability, and anybody under the age of 10 years cannot be held criminally liable. Ergo, our 7-year-old potential witness could not be accepted as a witness in that particular case. One can only wonder what sort of injustice may have resulted in that case or other cases of a like kind. In the transcript that was provided to me, I noted that Mr Justice Maurice said that it was certainly a legislative problem. I very much appreciate the fact that that is being addressed through this particular bill.

One point that previous speakers have not addressed is precisely the fact that the Criminal Code introduced this objective test. My understanding is that, prior to the enactment of the Criminal Code, the common law test allowed the courts to determine the liability of a minor under the age of 8 years. It seems to me, and I really bother about this, that the Criminal Code has been one of the most difficult legislative tasks that this Assembly has faced since self-government. Many jurists around the country and in the Territory were not particularly happy about the Criminal Code. I suggest that, if these are the sorts of problems that the Criminal Code creates, perhaps it was not such a good idea after all.

For the benefit of the member for Koolpinyah who, as a member of the government at that stage, was a supporter of the Criminal Code, certainly alarm bells were rung by the opposition at that stage about the change from the common law, with statute provisions for crime modifying the common law, to the Criminal Code. This is precisely one of those problems where, had the discretion been left with the court, the problem would not have arisen. The Attorney-General is shaking his head. In fact, in researching this bill, I made some inquiries about that, and my information is that, prior to 1983 and the enactment of the Criminal Code, this particular problem would not have occurred. I suggest that it is appropriate that the Attorney-General address that issue. Obviously, at this stage, it is questionable whether the Criminal Code can be repealed but, if these difficulties continue to occur, perhaps some consideration ought to be given to that possibility.

I would like to place on the record my thanks to the Attorney-General for his cooperative approach in relation to this legislation. He wrote to me on 8 November and again on 21 November inviting comment with respect to this legislation. I did not respond in writing but I trust that, in the context of this second-reading speech, my views and the fruits of my research on the bill will be clear to him. I would like to point out that that is in dramatic contrast to the government's approach to the cannabis provisions in the Poisons and Dangerous Drugs Amendment Bill where, basically, the government intends to push the amendments through without any prior consultation with the opposition.

There is one further point that I wish to make. Section 9C of the Evidence Act requires that the unsworn evidence of minors be corroborated: 'A person shall not be convicted of an offence on the unsworn evidence of a child or children unless that evidence is corroborated by some other material evidence in support thereof implicating the accused'. Mr Justice Maurice made passing reference to that requirement in his comments from the bench in the case referred to by the Attorney-General in his second-reading speech. That also has been the subject of correspondence between myself and the Attorney-General. To start with, let me emphasise that I am not suggesting in any shape or form that the bill before us is seeking to remove that requirement for corroboration, but certainly it has been suggested by the Minister for Health and Community Services and, as I say, it has been the subject of correspondence between myself and the Attorney-General, and I intend to place on record the substance of that correspondence. On 20 July, I wrote to the Attorney-General in these terms:

You will no doubt have seen press reports of statements by your colleague, the honourable Minister for Health and Community Services, saying that he plans to introduce legislation that will allow uncorroborated evidence by minors to be admissible in Territory courts. I am sure that you will be as concerned as I about such a precipitate attack on some fundamental legal principles.

On the one hand, I am of one mind with the minister about the need to prevent child abuse, as you will know from my comments on this subject in the Legislative Assembly. I also believe that it is important to protect children as much as possible from the trauma of court proceedings. However, natural justice dictates that evidence deciding the guilt or innocence of someone accused of a criminal offence should be fully tested in court.

I am sure that you will feel as I do that your colleague's proposal could open the way for gross injustice. In addition to cases where

child evidence has led to prosecution for incest, you will be aware of cases where the evidence of children, upon cross-examination, has proved to be not substantiated because, for example, a child has been pressured or has fantasised.

I will look forward to your response in this regard and I trust you will discuss the matter with your colleagues, to whom I am sending a copy of this letter.

The Attorney-General replied in September and I will read his sensible and measured response:

Dear Mr Bell,

I refer to your letter of 20 July 1988 regarding the admission of uncorroborated evidence by minors in the criminal courts. The Department of Law is currently undertaking a review of the incidence of child sexual abuse and the adequacy or otherwise of the criminal law in dealing with such abuse in the Northern Territory.

As you will be aware, most Australian states have considered or are considering the problem with a view to amending their criminal law and laws of evidence. The review being undertaken by the Department of Law is only in its preliminary stage. No legislation or amendments to current legislation is proposed to be introduced at this point in time.

The Department of Law is very much aware that any proposals to change the law in this area must have regard to the delicate balance between the need to protect the child victim and the rights of an accused person. Any amendments to Northern Territory legislation which are proposed as a result of the Department of Law's review will be circulated for public debate and discussion before they are introduced. In this regard, the Department of Law has duly noted your concerns.

Yours sincerely,
Daryl Manzie.

I very much appreciated the constructive approach taken by the Attorney-General in that regard, and I draw the Assembly's attention to his statement in that letter that the Department of Law and presumably himself were very much aware that any proposals to change the law must have regard to the delicate balance between the need to protect the child victim and the rights of an accused person. Indeed, that was the point I made at the commencement of my comments on this particular bill. It is a very sensitive area and I am concerned that the Minister for Health and Community Services tends to be somewhat gung ho and runs the danger of trampling on the conventions. Conventions are not simply to be observed because they are conventions. They exist to serve people and must be constantly reconsidered and re-evaluated. It concerns me, however, that a gung ho approach in respect of a sensitive matter like this will create more problems than it will solve. I know how deeply the Minister for Health and Community Services feels about the issue of child abuse and, as I said earlier, I share his concerns in that regard. I believe, however, that we must take a sensible, measured approach to the problem and I would be seriously concerned about the possibility of removing the requirement for corroboration of evidence.

In closing, I reiterate that the question of corroboration of the evidence of minors is not involved in this bill, as the Attorney-General stated in his correspondence with me. It is, however, ancillary and it is related to the general question of evidence given by minors, which has been the subject of correspondence between the Attorney-General and myself. I believe, therefore, that it is appropriate that it be referred to in this debate. I have also expressed my reservations about the Criminal Code. I am seriously concerned that its provisions have created a problem in this area and leave the way open for injustice to occur as well as for people who are the perpetrators of crimes to go unpunished, a problem to which the member for Koolpinyah referred. With those comments, I indicate the opposition's broad support for the bill.

Mr TUXWORTH (Barkly): Mr Speaker, in rising to make a few comments on the bill, I would like the Attorney-General to respond to a couple of questions which relate to the age limits which have been set. All members would appreciate that it is very difficult, in dealing with matters such as this, to set an age limit of 10, 12, 7, 14 or whatever. Children all have different ages of development, comprehension and understanding. What is possible for some street-smart child of 9 or 10 might not be possible for a 14-year-old or a 15-year-old who has led a fairly sheltered life. I think that there are some street-smart Tennant Creek kids who would be quite capable of giving evidence at the age of 8 or 9 whilst others probably should not be called into a witness box even at the age of 14.

Given the age limits which have been set, I ask the Attorney-General whether the court has the capacity to discontinue evidence from a minor if the judge believes that he or she is not competent to continue to give evidence? Secondly, does either the defence or the prosecution have the right to keep that minor in the witness box and drag the evidence out of him or her because the law says it is so able? Can the minister give me an indication as to whether the court has that power to discontinue hearing evidence from minors who are put in the box?

Let me take it a step further. Let us assume that a 10- or 14-year-old is in the box giving evidence in accordance with the provisions of this bill and that, during the course of that evidence, the judge comes to the conclusion that the person is not mature enough or does not have the comprehension or balance of reason appropriate for a witness. Does the judge have the capacity to ask that the evidence be no longer continued? I will leave that question with the Attorney-General because I believe it is relevant and needs to be considered, and I will go on to explain why the question has arisen in my mind.

Recently, I had a complaint from a parent of a child who felt that the child had been unreasonably and intensively questioned over an offence that had nothing to do with the child and was not a sex offence. This child had some psychiatric difficulty, had received continual care and had attended a special school. The parent alleged that the child was picked up and questioned for 4 hours without the parent's presence and stated to me that it was totally unreasonable for the child to be subjected to this form of questioning. The parent felt that, at some stage, the police should have realised that the child was not up to the norm of a 14-year-old and should have been accorded other attention.

I suppose this was an extraordinary occurrence and, thank heavens, we do not hear of many such incidents. However, it does raise the question of what procedures are appropriate when a child is in the witness box to give evidence

in relation to one of these very delicate situations which are extremely traumatic for young people. If it is established that the child is not able to cope with continued questioning or does not have the ability to give evidence which may be required by the court, the prosecution or the defence, what procedure is to be followed? I am not being nitpicking about this, but I do believe that the setting of age limits, as this legislation does, is very simplistic. That is because, as I said, children have different developmental phases and what is appropriate for some children at the age of 8 or 10 is not appropriate for others until they are 12 or 14. Given that the setting of age limits is in itself a problem, I think that a mechanism is needed so that, if it becomes apparent that the child is not up to the mark in terms of giving evidence, there is some way of desisting from further prosecution, questioning or the giving of evidence. I ask the minister to address that matter in his response.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, one of the things which pleases me about this bill is the manner in which it came about. As another honourable member has stated, Justice Maurice apparently identified an anomaly and, in one way or another, the message came back to us that we were somewhat out of step with other legislatures. As a result, we are moving to correct that anomaly now.

It is often said that the legislature has the job of making the laws and that the court system has the job of interpreting and administering them. Many people hold the view that there should be a very clear division between those tasks and I support that view to some extent. However, it is crass stupidity if judges sit in their ivory towers, knowing that persons who are clearly guilty are able to escape punishment as a result of an anomaly or loophole in the law, and there is no mechanism to allow feedback on that situation to this Assembly. We are the theoreticians. We theorise about what the law will do and what it is intended to do. However, in practice, sometimes it works differently. I believe a feedback mechanism is very important, at least in a general way if not on an individual case basis. I am pleased that we have from Justice Maurice, whichever way the message came back to us, the information that an anomaly exists and that we are acting to correct it.

One could say many things about the bill. In his second-reading speech, the minister said: 'The Oaths Amendment Bill will retain the court's decision to allow or not to allow the child's evidence to be received, even if the child satisfies the court that he or she is competent'. That seems a little odd if the court has decided already that the child is competent to give evidence, unless the court becomes convinced that the child is lying or is trying to cover up. I dare say that may be the basis on which a decision is taken on whether the evidence will be allowed. In the same paragraph, there is the following statement: 'A child who is over the age of 10 years, who gives unsworn evidence pursuant to the Oaths Amendment Bill, will still be liable to be convicted of perjury as if the evidence had been given on oath'. That sounds very tough indeed, but I really wonder what the courts will do. On past experience, I cannot imagine that children of 11, 12 or 13 years, who have been demonstrated to have committed perjury, will receive much punishment at all in practice. It sounds tough, but I shake my head. It will not happen. It is there to put the fear of God into a young person but, when it is demonstrated that the child has lied, I doubt whether any action will be taken.

That brings me to the point which has interested and concerned me. I refer to a statement that appeared in the NT News. Unfortunately, I do not

have the date on which it appeared. The headline is: 'Divorced Parents Just for Fun - Social Workers Wasted Thousands'. It is a celebrated case of a 15-year-old lad, known only as Damien, who legally divorced his parents through the courts in Victoria and who has now admitted that he was out for some fun. I will read part of this article into Hansard because I think it is very interesting and of some concern:

A boy who legally divorced his parents did so because it was fun, he said in an interview in the Sunday Press newspaper. The boy, known only as Damien and now back with his parents, was 15 when the Victorian Children's Court granted a divorce in 1986.

In an interview recorded for Tuesday's edition of the television program, A Current Affair, Damien said: 'I abused the system. There was no reason for me to leave home. At that time, I thought it was fun. You know, you could get a couple of days off school and all of that'. In an interview, Damien said that he went along with social workers who sought the divorce. Damien has since said that there was no evidence to support his complaints against his parents, but the social workers pursued his case with incredible zeal.

It went on to say that, while he was divorced from his parents, he became involved with drugs, alcohol etc and, eventually, came back to his parents of his own free will. If the law in Victoria is similar to ours, I wonder whether he will be charged with perjury. It is an interesting proposition. Of course, he is over the age of 14. In fact, I understand that he is now 18. I wonder how tough our courts will be on this matter of perjury. It is an interesting point.

I hope that all members saw the Four Corners program last night on child abuse. I am quite certain that there is not one member of this House or one decent member of the community who condones the abuse of children, particularly the sexual abuse of children. The member for MacDonnell made a good point when he said the term 'child abuse' is a broad-brush expression which embraces various practices ranging from giving a child a hiding, which some would condone and others would not, to extremely serious matters. I cannot think of anything worse than the rape of a child. Really, it should be called that, I believe, to reinforce in the public's mind how serious such offences are. Nobody supports that. However, on the other side of the coin is a situation described in the program last night. It is possible that some of the people could have been lying but, without the cases being heard in the courts, we would not know. What about the people who have been accused but the charges have been dropped? The stigma remains. The member for Barkly spoke about a lad of about 14, I presume, being questioned by police for some 4 hours without a parent being present. What about some of the cases referred to on the Four Corners program where children of 2 and 3 have been virtually interrogated for endless hours?

A member interjecting.

Mr COLLINS: That is the situation. It is not done by a court; it is done by social workers. It is horrendous. In my electorate, 2 or 3 situations have been brought to my attention - and that is why I am so interested in this matter - where social workers have suddenly appeared on people's doorsteps and made accusations against them. The people have come to me, and I doubt whether anybody would go to a member of parliament if he were guilty. Most people have a conscience and, if they were guilty of an offence, they would not contact their member. In my own town, some horrific examples of

overzealous social workers jumping to conclusions have been brought to my attention. Some balance is needed. These people are supposed to look after the interests of children. If a child has been abused by a parent or parents, then the full weight of the law should be visited on them. However, if they are wrongly accused, the consequences may be horrific not only for themselves but also for their children who may be wrongly taken away from them.

An interesting situation was brought to my attention by a person who used to work in the Department of Law in Alice Springs. That person told me that, on many occasions, welfare personnel would come to the courthouse to indicate that they had taken children away from their parents and wanting to know the legal basis for such an action. I think that, if these people have not had sufficient training in the law to know on what basis they may remove children, then those children should not have been removed in the first place. In my view, that is horrendous. Quite a number of people have contacted me in relation to such matters, not only persons who have been accused but also concerned friends of accused persons. There was an example of a case relating to people at Harts Range. Some people contacted me because they had not been allowed to give evidence in a case in which a de facto couple had been accused of not looking after their children. The children were removed despite the fact that the father was feeding them. That sort of thing is of great concern to me and to many people in the community. Some sensible balance needs to be developed. It is not easy.

Mr Manzie: This bill relates to an amendment to the Oaths Act. You are speaking about child welfare issues. Come on!

Mr COLLINS: I may be ranging rather far and wide, but these are matters of concern to many people, including members of this House.

The bill appears to be reasonable. If it is not, I trust that the courts will always seek a feedback mechanism to this Assembly in respect of problems they may have in terms of bringing criminals to justice and acquitting the innocent.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I thank honourable members for their support and for the comments that have been made. With reference to the remarks made by member for Sadadeen, I think any member who saw the Four Corners program could not help but be concerned about the possibility of overzealous activity by welfare workers which, under certain circumstances, can cause great trauma and destruction of the family unit for no reason. It demonstrates that we must be very careful not only with the evidence of very young children, but also with the means by which that evidence is obtained. The bill results from an incident that occurred during the second half of last year. Justice Maurice was very quick to point out that there was an anomaly in the law, and we have moved rapidly to correct that.

The member for MacDonnell argued that the problem has arisen because of the Criminal Code. In fact, under common law, criminal responsibility can apply from the age of 14 onwards. From that age, a normal person can be totally responsible for any criminal action which he has committed. A person under the age of 8 is considered to have no responsibility whatsoever for any criminal action. That was the situation under the common law which applied prior to the Criminal Code. The instance which led to this bill involved a 7-year-old and, therefore, the code would not have applied. The provisions in the Criminal Code followed those not only in Queensland but other jurisdictions in which 10 was set as the age beneath which criminal

responsibility did not apply. The anomaly arose because a person under the age of 10 cannot be held criminally responsible for his or her actions. This meant that the provisions relating to perjury did not apply and, because of the wording of the Oaths Act, a person had to be liable to punishment before being expected to give evidence. The Criminal Code only came into the matter because the age of 10 has been codified. The situation would not have arisen prior to the code, because 8 was the age in respect of criminal responsibility.

There is scope for the court to exercise discretion, after watching the demeanour of the witness and taking all other matters into consideration, in terms of how much reliance should be placed on the evidence of the person or how much criminal responsibility can be attributed to a person of that age. Some 12-year-olds might be considered by the court to be more able to accept a certain level of criminal responsibility than other children of the same age because of their demeanour, their maturity, their knowledge, their understanding and their cultural backgrounds.

The member for Barkly asked whether minors can be forced to give evidence in court, can be cross-examined in the witness box until they drop etc. I was quite surprised because, given that he was the minister responsible for juvenile matters for a number of years, I thought that he would have a grasp of how things work. However, I can assure him that court procedures do not allow the continued interrogation or browbeating of witnesses and that judges and magistrates exercise strict control over the manner in which the evidence of minors is obtained and tested. The maturity of the child is, of course, a factor, as are the circumstances of the giving of evidence.

The member referred also to an incident in which a child was allegedly interrogated for 4 hours without the parent being informed. Obviously, that would be contrary to police procedures and could appropriately be the subject of a complaint to the Ombudsman or the Commissioner of Police so that the allegation could be addressed. I do not believe that it needs to be pursued further in this House.

I believe that I have responded to most of the matters raised by honourable members. I am certainly happy to supply the member for MacDonnell with further information regarding the criminal law and criminal responsibility of minors. I believe that it was inappropriate for him to point the finger at the code in this set of circumstances, although I note that he has some problems with the codifying of the criminal law as do some jurists in the Northern Territory and elsewhere in Australia, as he quite rightly pointed out. Such codification, however, has occurred right throughout the western world, mainly because of the inability of the common law to keep pace, in some circumstances, with social changes, technology and developments in education etc. Obviously, we must endeavour to keep abreast of what is occurring and to enable our courts and our police to do the best job they can under very difficult circumstances. I thank honourable members for the interest they have shown in relation to this matter.

Mr Bell: Do you intend to say anything about uncorroborated evidence?

Mr MANZIE: We have had correspondence in relation to that. Last night's Four Corners program underlined the dangers inherent in the acceptance of totally uncorroborated evidence. Any changes in the law in relation to receiving evidence from minors and the question of corroboration need to be made very carefully. For a number of reasons, some sort of corroboration is paramount in terms of the potential for false or misleading evidence to result

in a conviction or the breakup of a family. This is particularly devastating when allegations are found later to be unsubstantiated. Unfortunately, it can be very difficult to deal with traumatised children and the ability of children to fantasise something which has occurred in some instances means that we must be doubly careful.

Most honourable members would agree that we must ensure children can give evidence in a court whilst minimising the trauma associated with giving that evidence. We must try to create mechanisms which allow that to happen. I certainly stand by my undertaking, made in correspondence to the member for MacDonnell, that any proposed changes would be circulated for comment. Such a step would need to be deeply considered by the community and people involved in the criminal law before it was taken.

Motion agreed to; bill read a second time.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I move that the bill be now read a third time.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I rise briefly in order to put the record straight about something which the Attorney-General just said. At no stage did I imply in my comments that children would be cross-examined or interrogated until they dropped or that they were being subjected to harassment. That was not the thrust of my argument at all. If the Attorney-General has developed that opinion, I am sorry that that has occurred and I will be happy to clarify the matter with him later. He was, however, quite incorrect in placing that interpretation on my remarks.

Mr Manzie: What were you asking?

Mr TUXWORTH: Mr Deputy Speaker, if I may pursue the question raised across the floor by the Attorney-General, I was making the point that, in setting an age of 10 or 14 in the legislation, you are enabling children to be put in the box to give evidence for the prosecution or for the defence. During the course of that evidence - and not because the child is being questioned too vigorously or anything like that - it may become obvious to the court that the child is doing something beyond his or her competence. I am asking whether the process then has to continue because the law says it can or whether there is a point at which the court or the judge decides that the person is not competent to continue giving evidence and brings the process to an end. That was the thrust of my remarks. They had nothing to do with harassing or vilifying a witness or anything of that nature.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I can assure the honourable member that the operations of courts are controlled by judges, that the competence of witnesses is most zealously tested by the defence or the prosecution and that both sides of the equation have one aim: to establish truth. By the same token, the competence of witnesses, especially children, is a matter which is assessed by the court. If an obvious lack of competence exists, controls would certainly be applied. Similarly, in respect of the member for Barkly's comments about allegations that a child was questioned for 4 hours, the appropriate controls exist and the matter can be addressed in the context of those controls.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr MANZIE (Attorney-General): Mr Speaker, I move that the House do now adjourn.

Mr EDE (Stuart): Mr Speaker, this morning in question time, I raised a matter which, I believe, is of extreme importance in the context of the development of the Northern Territory University and the administration of the education portfolio by the honourable minister. In that question, I referred to an advertisement in the NT News of 9 February 1989 in which the Bond University advertised an information day for Friday 10 February. The advertisement stated that Northern Territory students and their families were invited to learn more about the Bond University by visiting its representative, Ms June Towers, between 9.30 am and 2.00 pm, on Friday 10 February, at the fifth floor conference room, Capricornia House, 21 Lindsay Street, Darwin. That address, of course, immediately set off alarm bells because that building is wholly utilised by the Northern Territory Department of Education. It is not one of those buildings in which a department occupies a single floor. It is entirely occupied and is either owned or leased by the Northern Territory Department of Education.

The fifth floor houses the conference room and administration areas and one would believe that the administration areas would be very much in the eye of the big wigs of the department. On about the same day as the advertisement appeared, I am told that a press release was issued giving further information and naming a Mr Allan Herrman as the representative of the Bond University. I am told that the press release was issued by a body called International Public Relations of 31 Hope Street, Spring Hill, Queensland. In case the honourable minister wishes to contact that body, the phone number given was 07 837 4750. I am quite happy to provide that information so that he does not have any further excuse for not getting to the bottom of this.

Mr Harris: Come on, Brian. Do better than that.

Mr EDE: As I said, that press release stated that Mr Allan Herrman would be available from 9.30 am to 2.30 pm at that address for the purpose of assisting the Bond University. Of course, the first question is who fronted up at Capricornia House: was it Ms June Towers or Mr Allan Herrman or both? I heard later that Mr Herrman did not operate during his working hours. He was simply moonlighting and this purpose did not involve his absenting himself from work.

There are 2 issues involved here. First, what is a senior officer of the Northern Territory University doing moonlighting for another university? Apart from the basic issue of moonlighting, we have what could be considered to be a pretty clear conflict of interest. A senior member of the staff - I believe his position is as Coordinator of the Department of External Studies - is promoting in a private capacity not the university from which he earns his daily bread but the Bond University, a university in one of the states which is in competition for the students that we are finding it so difficult to attract. What have we lost? I doubt the honourable minister would be able to discover that unless the gentleman concerned comes extremely clean. I have heard stories to the effect that between 20 and 40 people from the Northern Territory have indicated that they intend to go to Bond University. Those are some of our best and brightest students and we cannot afford to lose them. What about the whole aspect of loyalty? Is this what is developing? It is outrageous that somebody would draw his daily bread from the Northern Territory University and then undertake that other project.

The second issue is the use of the conference room. The directory on the ground floor of that building indicates that the Conference Room, Administration, is located on the fifth floor. As I said, that is under the eye of the bigwigs of the Department of Education. I would like to know how approval was obtained for the use of that conference room. By what process did the representatives from the Bond University obtain access to the conference room of the Department of Education of the Northern Territory, which is responsible for the promotion of the Northern Territory University? Who authorised the use of that conference room and the facilities of the Department of Education? How much was paid by the Bond University for the use of those facilities to promote a university which is in direct competition with our own university for those scarce, full-time students? Why was such a decision taken? Didn't the person responsible have the nous to realise that this would set a mark of respectability on the attempts of this group to obtain students for their own university and that that would have the effect of taking people away from our own?

Why does our Department of Education apparently see it as part of its function to promote an interstate university? Does the department not believe that our university is good enough? Is it already developing the attitude that we have a second-class university and therefore it will promote another university? This is outrageous. I cannot for the life of me see that the use of that conference room for that purpose can be justified. No matter what process was undergone or what money was charged, it is singularly inappropriate for the Department of Education to allow its facilities to be used for this purpose.

What has the minister done about it? The advertisement appeared in the paper on 9 February. It was mentioned on the news once, appeared again in the paper yesterday and I raised it this morning. I hope that the minister now has the full story. It was disgusting that he did not have it this morning. What should have happened is that, as soon as any member of the minister's staff or any staff of the department saw the use being made of the conference room - and surely there are people in the department who are interested enough in universities and the fact that the Bond University is advertising - it should have been brought to the attention of senior people in the department. Even if the advertisement of 9 February had not been noted, the bigwigs would have noticed next day when people started flooding up the lift and into the conference room on their floor. By that stage, surely a chord would be struck and people would ask who these people were.

Mr Speaker, as you know, we are in a very dicey situation with our university. We are trying to develop a university for the benefit of Territorians; we are not trying to do it for the benefit of Mr Bond. We are not doing it for the state of Queensland. When our public servants decide that they will allow people such as these to utilise the facilities of our department to promote another university, they should be put on the mat. Has that occurred to the Secretary of the Department of Education? Has that occurred to him today, if not on 10 February when this actually happened? Has the minister asked the secretary of his department for what reason and by what right representatives of Bond University were permitted to use our facilities to promote Bond University? The minister and his secretary are supposed to be promoting our own university.

That question has to be answered today and, if the secretary has not been interviewed to date, that should occur right now. We need to know the answers in this House. We have that right. We have put a great deal of money into that university and some of us have put a great deal of time and effort into

getting it off the ground. We do not want to see it falter because of a ridiculous situation whereby people are using these facilities to promote a private university in Queensland and for the benefit of people other than Territorians.

This situation involves disloyalty on the part of an officer of the Northern Territory University and he should be brought before his bosses. They need to determine whether he is a person who should be allowed to continue in that job. He has to make a decision as to whether he wants to work for us or work for Bond. One person who must appreciate what is involved is the Secretary of the Department of Education. The honourable minister says that he does not know what is going on. Surely the secretary must know what is going on and surely he has to bear the responsibility if the minister continues to duck it.

Mr HARRIS (Education): Mr Speaker, what an outburst from the member for Stuart who is supposed to be the opposition spokesman on education. We have seen him tie himself in knots very thoroughly tonight. He does not even know what he is talking about in relation to the building. He mentioned the fifth floor of the building as housing the hierarchy of the Department of Education. It is the administration section of Library Services. He does not know what he is talking about yet he rises in the adjournment debate to make such comments to me this evening. In the past, we have heard similar outbursts from the member for Stuart. Talk about scare tactics. He talks about the problems of attracting students and about autonomy for universities. Once again, he tosses figures into the air: 40 students have left and people were trooping in and out of that conference room. What a load of nonsense! I will address that in a minute, Mr Speaker.

The Northern Territory University provides an information service on courses right throughout Australia and other universities in Australia do the same. We provide information to people in isolated communities on the courses that are available, and there is nothing wrong with that. Universities work together in that respect. The same applies to the recruitment of teachers. CAEs and universities which offer teacher education in the states make their conference rooms and facilities available for us to undertake interviews and carry out such activities. That is part of the scene.

Mr Ede: Ridiculous!

Mr HARRIS: It might be ridiculous in your view. The entire private scene seems to be a problem for the ALP, the alternative government for the Northern Territory. Talk to your interstate friends about the Bond University. Talk to Mr Dawkins, the federal minister, about the private sector and the role that it plays in higher education. I have heard nothing from the opposition spokesman on education in relation to higher education that really does anything to try to encourage confidence in the Northern Territory University. He throws these figures in the air and asks me what I intend to do about the situation.

I made the situation in relation to Mr Herrman very clear at lunchtime today. This is an issue between the university and its employee. It is not for me to become involved. The member opposite talks about autonomy and about university people having their say. In fact, I have received a briefing from the university in relation to the action that has been taken. This is what I wanted to find out in order to give you the facts ...

Mr Smith: Why didn't you know when we asked you?

Mr HARRIS: Mr Speaker, Mr Herrman was interviewed by the Deputy Vice-Chancellor, Jim Thompson, about his activities in this matter. He had set up his consultancy this year but did not inform the Northern Territory University as he would have been required to do. Professor Thompson has told Mr Herrman that he must choose between work at the Northern Territory University and work as a private consultant. That is fair enough. It means that Mr Herrman can cease to operate as a consultant for Bond or cease to work at the Northern Territory University. That is the type of thing that the university has to look at. It has to make decisions in relation to its own employees. I cannot become involved. The information is available and action has been taken.

As far as the use of the building is concerned, Allan Herrman approached the administration officer of the Library Services Branch about the hire of the conference room for use by Bond University. There was no precedent and the administration officer sought advice from the department's facilities section. In a spirit of goodwill with the other education institutions, it was decided that the conference room could be used at no charge. The conference room was not otherwise in use and there was no cost involved to the Department of Education. The Bond University was not seen as a threat to the Northern Territory University as the scale of charges - and there was an interjection from the member for Sadadeen in relation to this - for the Bond University will demonstrate. This was borne out by the fact that there would have been no more than 6 visitors during the day. In fact, Mr Speaker, the 2 representatives from Bond University closed at lunchtime.

The honourable member spoke about a flood of people. That sort of thing is reported in the press and it does not add anything to the confidence felt in the university and what we are doing. We are working hard. The officers concerned acted in good faith and the leasing of the conference room is not normally a matter brought to the attention of senior management. The room is used widely by the community. Library Services has, as a part of its brief, the provision of information to the wider community, and public libraries throughout Australia are a source of information on tertiary education.

Mr Speaker, I am disappointed by comments made this evening by the member for Stuart. I received a great deal of cooperation from the honourable member during the passage of the Northern Territory University Bill through this Assembly. It is essential to build up credibility and confidence in the university. From time to time, these sorts of incidents will occur. We promote our university in the states and we promote our courses in other states.

Mr Ede: Through Bond?

Mr HARRIS: Through other state institutions. I would not be surprised if they look at what is on offer and, if they are unable to provide ...

Mr Ede interjecting.

Mr HARRIS: Mr Speaker, I am quite disappointed because, quite frankly, the honourable member has not got his facts right. Action has been taken in relation to this particular person. I believe that I have answered the question fully.

Mr SMITH (Opposition Leader): Mr Speaker, I rise tonight to do 2 things. The first one is to pay tribute to a distinguished Australian who died recently. I refer to a distinguished Aboriginal Australian and, following

Aboriginal custom, I do not intend to use the person's name but I think we all know whom I am talking about. This person was born about 1925 near Emerald River on south-western Groote Eylandt. His early childhood was spent in the bush with his family, hunting and fishing and living in a traditional semi-nomadic manner. When he was about 15, his father, who was a great patriarch of the island, took him to the mission established at Emerald River in 1921 by the Church Missionary Society. There this man received basic schooling. Although he was to remain throughout his life, first and foremost, a staunch traditionalist, he was intrigued by the European newcomers and set about understanding their values and outlook.

As a young man, he trained as a carpenter and a driver and he was rapidly promoted to foreman of the mission building team. Members of that team recall him teaching them and supervising them without European advice. He was a leader of his clan in his hereditary right and, throughout his life, consistently assumed prominence in many fields. His natural qualities of leadership and wisdom of judgment were recognised by his own people and by Europeans alike.

By the time that BHP began establishing a mining operation on Groote Eylandt in 1963, he was recognised by the island's Aboriginal communities and by the company as the natural spokesperson for Aboriginal interests. He played a key role in identifying sites of sacred importance and in forging and maintaining an harmonious working relationship between the island communities and the company. For the past 25 years, in fact, he was regarded by BHP very highly indeed and had regular contact with the company at board, executive and local management levels. He was seen, both officially and unofficially, as an arbiter who was uniquely equipped to discuss and advise on a wide range of social, cultural and industrial issues.

In 1970, he became the first tribal Aboriginal to be made a Member of the British Empire for services to his people. Tribal groups from throughout eastern Arnhem Land gathered together with the 1000 Groote Eylandt people in full ceremonial regalia to meet his incoming plane and for 2 days performed traditional dance and song at an Angurugu celebration.

For many years, he was a member of the committee of the Aboriginal Benefits Trust Fund - now ABTA. In that role, he visited tribal groups and enterprises across Australia. He was closely associated with the Aboriginal Cultural Foundation from its inception in 1970 and became the foundation's president in 1977. The greatest commitment of his life was to the strengthening of traditional Aboriginal law and culture and maintaining the integrity of Aboriginal traditions.

He saw the work of the Aboriginal Cultural Foundation as one of the means of achieving this. Among his most striking accomplishments was his fostering of the biennial inter-tribal festivals under tribal control. These spectacular gatherings have served as a focus for the renewal of traditional dance and song among the many groups from Cape York, Arnhem Land, the Kimberleys and the desert regions, all of whom have taken part. In the last couple of years, he played a very prominent role in the efforts of Aboriginals in south-east Arnhem Land to establish their own land council. This man was accorded an unprecedented measure of respect, trust and love not only by the people of his own area but by tribal peoples across the Northern Territory, Cape York, the Kimberleys and the desert areas. I take the opportunity to give notice that I - and I understand the Chief Minister - and the member for Arnhem will be attending the funeral of this man on Thursday and, consequently, will be absent from the House on that day.

The other matter that I want to talk about tonight is the absolutely disgraceful performance of the Minister for Lands and Housing this morning in dealing with the problems of the Noonamah dairy farmers, Harry and Dora Fitzgerald. I am not going to begin my response with what the minister failed to do today. In fact, at this stage, I will not even tell him my views on what he should do. I will begin with the response of Dora Fitzgerald. Let us not forget that, this morning, Dora Fitzgerald and her husband were gushingly praised by the minister for their pioneering spirit and battling qualities. At the same time as they were gushingly praised for those qualities, they were abandoned by the minister with a shrug of his shoulders. Let me tell you, Mr Speaker, why I want to give Dora Fitzgerald's response.

Since her troubles began, she has made numerous approaches to the government and anyone else who would help. Among those approached were the good minister and his raucous colleague, the Deputy Chief Minister, who happens to be her local member. Those approaches began in August last year and I am advised that, in all of those intervening months, only 3 people have taken the trouble to go to Noonamah to find out what this is all about. The 3 people were the Shire Clerk of the Litchfield Shire Council, the member for Barkly and myself. I must add that the member for Koolpinyah also, quite clearly, has kept a very close and careful eye on this situation. However, no one from the government, neither the responsible minister nor the local member, the Deputy Chief Minister, was sufficiently concerned about the plight of the Fitzgeralds even to go down there and have a look which, I would have thought, would have been an elementary courtesy if nothing else.

Members will recall the minister's gutless response this morning: he could not press the powers of government to secure access because there might be a legal challenge, and the Fitzgeralds would move in 1990 anyway. I decided that Dora Fitzgerald should know about that, and I think it is only reasonable that the House should know her response. On the subject of the minister, she recalled that the only advice he had ever given her was at the outset. He advised her to seek redress under common law. That is the classic bureaucratic response: tie the victims up in red tape and throw them on the steps of the courthouse. It was on the basis of that legal advice from the Attorney-General that she went to a solicitor. The solicitor informed her that the learned Attorney-General was talking through his wig. She had no common law case because the Attorney-General's own government had legislated common law rights away with the Lands Acquisition Act.

That is really smart: provide a lady with a real problem, give her misleading advice and accept no responsibility for that misleading advice. What the Attorney-General did not tell her was that it is and has been a relatively simple matter to achieve a legal resumption under the new act. He did not tell Mrs Fitzgerald that and he did not tell the House that this morning. He preferred to heap up a mountain of possible legal obstructions that would prevent the Fitzgeralds from achieving natural justice. I am advised that the only problem, in terms of the simple administrative procedure that would provide access to the Fitzgeralds, is a possible argument over the valuation of the land that is resumed - hardly a matter that would take 3 or 4 years to resolve.

Mr Perron: Are you advocating compulsory acquisition?

Mr SMITH: No, I am not actually, because I am going to come up with another suggestion a little later. Like members on your side, we are concerned about the ordinary battlers and we are prepared to give some thought to ways in which they may be helped.

This morning, the Attorney-General sounded as though he were seeking ways in which justice could be denied, and we may wonder why. That is something that a few people are pursuing. Was it simply sloth or indifference or were there other considerations?

Dora Fitzgerald was equally unimpressed with the minister's dismissal of the problem on the grounds that the lease would expire in 1990. For one thing, the Fitzgeralds have no fixed timetable for relocating their farm and, in addition, there is another problem. In order to relocate, the Fitzgeralds will need to call in heavy equipment transporters. They need to get their sheds and plant to the new property and the only road that can take those heavy transport vehicles is the road that is blocked. It is the road that the minister is content to leave blocked. If the honourable minister had given a tinker's cuss about the plight of the Fitzgeralds, he would have found that out before coming into this House this morning with his disgraceful excuses. But let me tell the minister, on Dora Fitzgerald's behalf, that she is not finished with him yet because, as she so rightly says, she is sick to the stomach watching her husband having to work day-in and day-out just to keep their remaining accesses passable. In other words, as well as getting up early each morning to milk the cows, he is busy carting loads of soil trying to keep the temporary accesses passable.

Mr Speaker, if you want to see the problems involved, go out and have a look. If the Attorney-General did that, he might well change his mind. She is angry that, for the first time in 28 years, she has had to tell her customers that they will not be receiving their deliveries. She is concerned also because recently she has been in intensive care on a number of occasions. She is allowed home, but she is worried that, if there is a medical emergency and it has been raining, the ambulance will not be able to get in. That is a very basic concern and a very basic fear to have. It is a fear that people who provide our milk and use an access that has been in existence for 28 years should not have to experience. They would not have to put up with this if we had a government that had any concern for its citizens.

All the minister can do is shrug, turn away and say: 'Well, that is it'. Let me quote Dora Fitzgerald. She said today: 'I am not prepared to cop it sweet'. Mr Speaker, having met Dora Fitzgerald and Harry Fitzgerald, I can tell you that that is the case. Beneath it all, there is a major question for all Territorians to ponder: why is it that, alone among all the states and territories, we have thrown away our common law entitlement to right of way? Why is it that, in this vast Territory, the most sparsely populated region in the Commonwealth, we legislate to deny access for reasonable and, in this case, essential purposes?

I believe this minister when he says that he will do nothing for the Fitzgeralds because that is his forte. However, I do not believe that he can shove the issue into the same dusty drawer wherein he has shoved their case. In an attempt to break this impasse, I have asked the shadow attorney-general, the member for MacDonnell, to consult with the legal profession on ways and means to return common law rights of access to Territorians. It will be our intention to move as soon as is practicable for the restoration of those rights. If the members opposite oppose the restoration of those rights, and on their track record they probably will, we will simply add that to the growing list of tasks to be achieved by a Territory Labor government.

Mr HATTON (Nightcliff): Mr Speaker, I rise tonight to pay tribute to a great Territorian who passed away on 23 December 1988. I am referring to Mr Alf Blaser who was not born and raised as a Territorian. He came to the

Northern Territory in 1969 as a manager of Ampol. During the 20 years that he lived in the Northern Territory, he developed an enviable and proud record of contribution to the community that I believe deserves recognition in this House.

Alf was born in Adelaide on 26 January 1931. He married and is survived by his wife, Rhonda, and 4 children, being 3 sons, Michael, Peter and Anthony, and a daughter, Theresa, and by 3 grandchildren. As I mentioned, Alf came to Darwin in 1969 to manage Ampol and, like so many people who came here for a short time, he fell in love with the Northern Territory and adopted it as his home to the extent that, in 1976, he joined the real estate business and, shortly after that, went into business with 2 partners and formed a company known as Real Estate Sales and Services, now RESS Real Estate.

Alf was always an active and involved community worker and I note that he was involved with St John's School which his 4 children attended. He held positions as secretary, treasurer and chairman of the parents' group over the years and was always on hand to help with fundraising etc. Alf held a number of other positions as well. He was on the founding committee of the Underwater Spearfishing Association in South Australia. He was President of the Australian Institute of Management and Function Manager of the Northern Territory Division of the Australian Institute of Management, as well as being President of the Real Estate Institute of the Northern Territory for a year. He was on the social committee of the Darwin Sailing Club and was a Rear Commodore of the Sailing Club.

Whilst that indicates the sort of business and official involvement that he and Rhonda had, I note particularly the work they contributed as individuals. Alf and Rhonda were renowned for the street parties in Nightcliff that they held for a number of years. They started what is developing into quite a trend in my electorate: they would invite all the people in their street. With the relatively transient population that we have in the Northern Territory, that created a sense of community within that street. People, children and families in the street met each other and became friends. Around those street parties, they developed Christmas parties at which Alf would entertain the children regularly as Father Christmas, a role which he played with alacrity, not only in Nightcliff but elsewhere as well. Anybody who knew Alf would know how well suited he was for the role, both physically and in terms of his personality. He made an excellent Father Christmas and one from whom I never saw a child back away. I think that is a great credit to the person himself.

Mr Bell: Have you had some unfortunate experiences, Steve?

Mr HATTON: No, I have not actually, but I am not quite built for the job.

He played the role of Father Christmas year after year at the Nightcliff Preschool, where his wife Rhonda has worked since 1978, and at various playgroups and at the Darwin Sailing Club.

Last year, Nightcliff celebrated its 40th birthday and, as usual, Alf and Rhonda were actively involved in the organisation of the 40th birthday celebration committee. Alf performed the role of MC at the Nightcliff Oval party on the Saturday where he kept things rolling and people entertained throughout the afternoon.

Alf was admitted to hospital on 18 November last and underwent a major, 7-hour operation for the removal of cancer. After spending several weeks in

the Intensive Care Unit, Alf passed away on 23 December. He will be a great loss to Darwin. He will be a great loss to me as a friend and, certainly, a great loss to many other friends that he and Rhonda have in the Nightcliff area, in Darwin and in the Northern Territory. I extend my sympathy and condolences to his wife, Rhonda, and to their children and grandchildren, on the passing of a person whose contribution to the Northern Territory was great, not in the sense in which I often define the word, but in his selfless caring for people and his selfless contribution of time and effort to make life more enjoyable and a little better for the average citizens of the Northern Territory. I will sadly miss him.

Mr TUXWORTH (Barkly): Mr Speaker, I rise this evening to lend my support to the efforts to bring an end to the plight of the Fitzgeralds in relation to the access to their property. The Fitzgeralds are a long way from my electorate but, when people take the trouble to ring me and ask me for help, the least I can do is listen to what they have to say. I reiterate the Leader of the Opposition's advice that the minister should have a look at what the Fitzgeralds are really going through as a result of their access problem. The member for Koolpinyah says that she could not get into the property and that may be the case but, sooner or later, people will have to get in.

The Fitzgerald family epitomises the pioneering spirit. These people are running a dairy herd and making a living by selling 80 crates of fresh milk a day. Not only that, they are also distributing large quantities of milk into the Darwin area for the Katherine dairy and are playing a very important role in supporting that dairy as well as their own. Therefore, their role as small business people is very important and their dilemma in relation to access should not simply be dismissed, as the minister did this morning.

I would be the first to admit that there is now a personality problem between Mr Fitzgerald and Mr Trezise. Be that as it may, it should not be the criterion which the government uses to wash its hands of the matter and I will give 2 good reasons for my saying that. In any environment, investors will think twice about where they put their money if they believe that their investment may become landlocked. That is a problem everywhere and that is why state governments believe that access has to be maintained and, where that cannot be achieved amicably, sometimes take action to ensure that access is available.

Mr Perron: What are you advocating?

Mr TUXWORTH: Mr Speaker, if the Chief Minister would listen for a moment, I will make a suggestion.

Mr Coulter: We need solutions.

Mr TUXWORTH: Mr Speaker, there needs to be a solution and I will put a suggestion to the Chief Minister. The access which was used until recently was, as I understand it, set aside by Minister Hasluck 25 to 30 years ago.

Mrs Padgham-Purich: I think it was 28.

Mr TUXWORTH: Certainly, if a road has been in use for that long, it has established itself as a public access. The Chief Minister would remember better than anybody else the battle which the Northern Territory government has fought in respect of land claims and land rights issues generally, to maintain public access over and through Aboriginal lands where roads, whether declared as public roads or not, had been used for a long time as public

roads. That principle was generally acknowledged and it is now an accepted part of the land rights process that, in cases where a long-term access has been established, it is not to be closed off. In allowing the existing situation to prevail in respect of the Fitzgeralds, I put it to the Chief Minister that a precedent is being set for the land councils which, in future, may take the position that, if closure of roads and lack of access is no problem in the Darwin rural area, the same situation should apply in respect of public roads on Aboriginal land.

Mr Perron: In your opinion, is this a public road?

Mr TUXWORTH: Mr Speaker, I am saying to the Chief Minister that it has been used as a public road for 28 years.

Mr Finch: How is a 'public road' defined?

Mr TUXWORTH: I will pick up the interjection from the Minister for Transport and Works, Mr Speaker. In its consideration of what constitutes a public road on Aboriginal land, the Territory community and government has maintained that, if a road has been used historically by the public for passage over what is now Aboriginal land, it should remain open as a public road.

Mr Perron: We are talking about the public, not private ...

Mr TUXWORTH: I am talking about a public thoroughfare over an area of land that now is private land. That applies to roads over Aboriginal land too. You cannot establish the principle on Aboriginal land and then say that it does not apply to farmers in the rural area and that it does not matter if they become landlocked.

Mr Perron: Tell a pastoralist that the road to his front door is a public road.

Mr TUXWORTH: It could well be.

Mr McCarthy: It is a private road.

Mr TUXWORTH: I will take up the issue, Mr Speaker. Let me refer to the road that leaves the Stuart Highway and goes out to Epenarra, passing several stations on the way. Whilst it may not be a public road for the last few miles to the last station, it is certainly public for the first 2 stations which it passes.

You can argue until you are blue in the face but the reality is that the road which formerly gave access to the Fitzgerald property has been used as a public road for 28 years. Mr Trezise may be well within his rights to close it off but it is not smart for the Northern Territory to have small businesses landlocked to the extent that they may go out of business because of the lack of access. On one side of Mr Fitzgerald's farm, you will find a creek that is virtually impassable most of the time and which has a quagmire on its far side. It could be argued that that is Mr Fitzgerald's problem. However, given that he moved there when a public road was available and, historically, had been available for 28 years, one would not expect it to be closed off without due consideration for the access problem.

I will now come back to the Chief Minister's question. If the government wishes to accept Mr Trezise's proposition that he can simply close off the

public road, as he has done, something needs to be done to ensure that there is access to the Fitzgerald property. The Minister for Lands and Housing has the option of involving the Department of Transport and Works, the Fitzgeralds, the Trezises and anybody he likes, in discussions and negotiations. It is not good enough, however, for him to say that the issue does not matter and is no more than a dispute between private parties. It does matter. It is affecting and possibly ruining a small business and people who really are battling. You have seen a few battlers in your time, Mr Speaker. I defy you to go out and look at the Fitzgeralds and tell me that there is anyone in the Northern Territory who is doing it as hard as they are.

Mr Coulter: Hear, hear!

Mr TUXWORTH: The Leader of Government Business, who is also their local member, agrees. The Fitzgeralds do not deserve such treatment. Although the minister may feel that the matter can be resolved only by the Fitzgeralds and the Trezises, I suggest that he will have a change of heart if he goes down there and has a look. He will want to do something to resolve the problem. For the minister to sit in Darwin and pretend that it has nothing to do with him and that it is a problem for the parties concerned is not good enough.

Mr Manzie: Tell me what to do. You are talking so much about it. Let us have a solution.

Mr TUXWORTH: Mr Speaker, the minister wants to know what to do. Could I suggest to him that he convene a round-table conference between the 2 parties. Could I suggest to him that he ask the Department of Transport and Works for a range of options on what can be done. Could I suggest to him that he consider having the road declared in the same way as a road over Aboriginal land would be declared.

Mr Manzie: We have looked at that.

Mr TUXWORTH: He says that he has looked at all those things and can still do nothing. That is a load of hogwash! It defies the imagination that nothing can be done after all that. The problem is not insoluble. It simply requires some initiative from the minister, and that is not too much to ask. He will be stimulated to find a solution when he has a look at the situation for himself.

Mr Manzie: I live in this part of the world. I know where it is. I have been there.

Mr TUXWORTH: You do not know where it is. Do you know what sort of blockade is over the road?

Mr Manzie: I visit the electorate too - unlike yourself.

Mr TUXWORTH: Do you know what sort of blockade is over the road?

Mr Coulter: Yes.

Mr Manzie: Come on, Ian. Sit down and stop wasting everyone's time.

Mr TUXWORTH: Mr Speaker, clearly the minister does not know what sort of a blockade is over the road. When he has a look at that, it will be a bit of an eye-opener for him too. I have seen a few roads closed off in my time but they did a good job on that one when they closed it off.

Mr Manzie: A little less rhetoric. Let us have some solutions.

Mr SPEAKER: Order!

Mr TUXWORTH: The honourable minister cannot talk his way out of this one by blaming everybody else.

Mr Manzie: I am not blaming anybody.

Mr TUXWORTH: He is blaming everybody else. He does not know what to do. He has become paralysed.

Mr Manzie: You are blaming everyone.

Mr TUXWORTH: I am not blaming everyone. I am saying to you, as the minister, that ...

Mr Manzie: It is my fault. It is Trezise's fault. It is Transport and Work's fault.

Mr TUXWORTH: I have not blamed Trezise or Transport and Works. I acknowledge that the conflict between Mr Fitzgerald and Mr Trezise is most unhelpful in resolving the problem but that is one of the roles that the minister can play in having it resolved. Obviously, the minister has no interest in it or he would have gone to have a look. He is prepared to wash his hands of it. I say to him that it will not go away because it will become a blight for small business in the Territory as well as for himself as minister. Sooner or later, it has to be resolved and I say to the minister that he should do something now.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, unfortunately, I was not able to ask a question of the honourable minister myself this morning. If I had asked one, it would have been along the same lines as that asked by the Leader of the Opposition regarding ingress and egress from the Fitzgeralds' property at Noonamah. I have been au fait with this problem for some time and have tried in various ways to help the Fitzgeralds. I have not been to see their property recently and I believe I have no need to because of the graphic description of the situation related to me by the Fitzgeralds on numerous occasions. What distresses me is the complete disregard that has been shown for these small business people.

Mr Firmin: It is not complete disregard.

Mrs PADGHAM-PURICH: It is. You be quiet. You can have your say later. I know what I am talking about.

This small businessman is supplying a quality product in competition with southern imports and he is making a living out of it. This was the continuation of the second dairy established in the Northern Territory. The first was the Coonawarra Dairy, which was started by the late Rupert Kentish. This dairy continued from the dairy that Mr Meyering and his wife established some years ago. The work that the Fitzgeralds are doing at their dairy is very interesting from a scientific point of view because nowhere in the top end of Australia has as much work been done on AMZs and AFSs as the Fitzgeralds have done. Nobody in this region has milked that many cows for so long and still made a living out of it.

The Chief Minister has interjected several times, asking if the government should acquire the land compulsorily. For the Chief Minister's information, the Fitzgeralds are living on section 379 which is one section removed from the Stuart Highway. The section nearest the Stuart Highway was section 378 and it runs along the Stuart Highway. That section was owned originally by Koolpinyah Station. Later, it was sold to Northbrick and was then sold to Mr and Mrs Trezise. I would hazard a guess that the road across the property was not built by the block owners. I would say that it was built by the government of the time for the Meyerings. That was 28 years ago.

I have nothing to substantiate this, and am relying only on my knowledge of the situation in earlier times. As I said, the Fitzgeralds are living on section 379. The section between them and the highway used to be section 378 but the Northern Territory government acquired a part of it to regularise the boundary of the Stuart Highway. That is now section 2070. For the information of the Chief Minister, compulsory acquisition has occurred in relation to that block already. What has been done once could be done again. That is one solution.

The honourable minister said that, if I had a property and the Fitzgeralds had been going across my private property for 28 years, I would feel as the Trezises do. Knowing the Fitzgeralds were not a mob of raving ratbags, knowing they are responsible people who would use the road in a sensible way and knowing that they would maintain the road, I would have had no hesitation in allowing them to continue to use the road until their lease expired.

Reference has been made by the minister and other speakers to the fact that the Fitzgeralds will relocate their business to the Harrison Dam area in 1990. If things continue as they are, they will have Buckley's chance of relocating in 1990. They could still be on the block where they are now for many years to come. While we are on the subject of their block at Harrison Dam, they did not get that easily. They had many hassles with officers of the Department of Lands and Housing. They came to me again. There were a few fights in the offing but the situation was resolved. They have not had an easy time and I must say they did not receive much help. I do not know whether they contacted the minister's office at that time but there were certain obstructions put in their way by certain officers of the department. When the Fitzgeralds were having trouble in relation to the federal dairy marketing subsidy, because of their unique situation in the Top End, they asked for help from the then Minister for Primary Production. Again, they received no help whatsoever. Asking for help from the minister was like hitting their heads against a brick wall.

In his reply to the question this morning, the minister said that both myself and the Leader of the Opposition had suggested compulsory acquisition. However, he omitted to mention that the Litchfield Shire Council had been approached also and it has put its full support behind the Fitzgeralds. The honourable minister says that he cannot compulsorily acquire freehold land ...

Mr Manzie: I did not say that at all.

Mrs PADGHAM-PURICH: He put great emphasis on the fact that it would take years to resolve the issue.

Mr Manzie: That is right.

Mrs PADGHAM-PURICH: Mr Deputy Speaker, when I wrote to the Chief Minister, I said something to the effect that it goes against the grain even

to think about compulsory acquisition but that, given all the knowledge available to the Minister for Lands and Housing, surely somebody could come up with a solution. It does not have to be done by compulsory acquisition of freehold land. Surely the minister has heard of an easement and of a right-of-way? If he knew anything about the geography of the area, which probably he does not - and probably the local member does not either - he would know that, in the Bees Creek area not very far from the Fitzgerald lease, there is a form of right-of-way from previous subdivisions. People on back blocks go through the front blocks to obtain access to their own blocks. Their electricity and their water all go through this right-of-way. If such a situation is already in existence in the Bees Creek area, surely that is another alternative to be considered in relation to the Fitzgeralds.

I would like to mention a precedent that has been set already in the rural area. I refer to certain actions of the Department of Transport and Works. Great importance has been placed on the fact that the Fitzgeralds will be there for only 1 more year, and it has been said that the government cannot afford to build an expensive road because it would be wasted after that. Might I remind honourable members opposite, especially the honourable minister, that he guarantees all-weather access to every pastoral property. Pastoral properties have cattle on them. They are those things with 4 legs, and they go 'moo'. The Fitzgeralds have the same sort of things on their property; theirs have 4 legs and go 'moo' also. In my book, what is good for beef cattle is good for dairy cattle. If it is good enough to provide all-weather, all-year-round access roads into pastoral properties that have beef cattle, why is it not good enough to supply an all-weather access road into a dairy property? That is another point to be considered.

I come now to another point, and this is where I intend to stress the precedent. Already, in the rural area, the Department of Transport and Works has made a road for a developer. I will use the name. It is Churchers. Churchers, a legal firm which is based in London, owns a great deal of land in the Top End. Churchers had land close to where the Minister for Education lives and it has been subdivided for years. There was nothing wrong with the gravel road that went down to that subdivision, and I might say that nobody is living on those blocks. I am not saying that it was illegal or wrong, but I understand that Churchers wanted a bitumen road through to a certain point in the subdivision and a deal was done with the government, on some sort of 50:50 basis, whereby it paid for 50% and the government paid for 50%. I believe the government forked out in the order of \$125 000 to put a bitumen road through to a subdivision on which nobody is living for a company that is stationed in London.

Mr Coulter: It is a gazetted road!

Mrs PADGHAM-PURICH: I do not care whether it is a gazetted road or not.

Mr Coulter: We got out of it cheap!

Mrs PADGHAM-PURICH: Mr Speaker, that road that was made by the government was not needed. If the government can spend that amount of money on a road into a subdivision where nobody lives, why cannot it spend money - and it would not take as much as that - on a gazetted road?

Mr Finch: It is not a gazetted road. That is the difference.

Mrs PADGHAM-PURICH: I am referring to Bees Creek Road or Jenkins Road, into the property where the Fitzgeralds have their farm.

From memory, I believe part of the road into their property crosses private roads in the subdivision there. I think it is to the north of their place. I believe the government could do something similar to what was done to extend Girraween Road. It could do something in cooperation with the Litchfield Shire Council which has an arrangement with the owners of private roads in axe-handle subdivisions where there are several owners of narrow parts of the road giving access to the blocks. The Litchfield Shire Council says that, if title is ceded to it or all those affected are in agreement, it will maintain the road for them. Why cannot the government do something along similar lines? If the Fitzgeralds had to use a road on those terms, I am sure they would obtain the agreement of all those people on whose titles those short stretches of the road are included.

I do not believe that it is impossible to provide access to the Fitzgeralds' property. I have already presented the minister with several ways in which it could be done but, if these people are not supported, I point out that considerable interest has been shown in this situation in the rural area. I do not know whether the member for Palmerston will still be holding that part of the country in his electorate, but I do not think the Country Liberal Party will receive very much support out that way at the next election. One would have thought the government would have done something even if only for the purpose of keeping its Leader of Government Business in his seat at the next election. That may be a very cynical way to look at it. Even if the government does not think anything about the Fitzgeralds, I believe it could do something about providing access for them.

I will give another example of where the Department of Transport and Works made a road and provided a precedent. I cannot remember the cost, but it was a formed gravel road that was constructed on Commonwealth land. A section of it ran alongside the old railway line at Howard Springs and it provided access to the 14-mile Aboriginal camp. The department made that road for that purpose. Thus, there are 2 precedents where roads have been made to provide access for people. Perhaps that second example is not strictly comparable with what I said earlier but I have presented the honourable minister with several ways in which the problem can be solved. Compulsory acquisition has already taken place on section 378. If he does not want to undertake compulsory acquisition, there is a precedent in the Bees Creek area where people travel over easements or have a right-of-way - I have forgotten what they are called - to gain access to blocks behind the blocks that face roads. These are used also for the provision of services to the rear blocks. The government provides all-weather access roads into beef cattle properties. Why can it not provide all-weather access roads into dairy cattle properties? That concludes my remarks but, if the government does not do something, I think it will be to its gross detriment.

Mr COLLINS (Sadadeen): Mr Speaker, tonight I want to raise a matter in the Assembly which was raised with me on New Year's Eve at a very pleasant party in my street. Many of the old-time residents of Burke Street in Alice Springs met together and we spent a very pleasant evening. It was put to me, Mr Speaker, by a gentleman who is known very well to yourself and probably to many others in this Assembly, namely Mr Lyel Kempster who lives in Burke Street, that we should consider the idea that the Todd River in Alice Springs should be floodlit at night from the RSL crossing down to the Gap. He asked me to promote the idea, but it was his idea and I give him full credit for it.

Mr Kempster had 2 reasons for making this suggestion. Firstly, the Todd River is one of our major features in Alice Springs and, if the gum trees were floodlit at night, he believes, and I agree, that it would present a very

attractive sight which would enhance the beauty of the area. Secondly, and very importantly, we believe that the floodlighting of the river would make it a far safer place than it is at the moment.

Mr Speaker, no doubt you are very aware that, on the day after I issued a press release relating to this matter, at 4 o'clock in the morning, there was an alleged pack rape of a 20-year-old young lady at the edge of the Todd River by 4 assailants, 3 of whom I believe have been caught. To digress a little, I must indicate that there is one thing that I am very pleased about in respect of this horrible crime. I refer to the fact that Aboriginal police trackers were used in the apprehension of the alleged assailants. In their report in last Friday's *Centralian Advocate*, the police gave credit to Aboriginal people in the area for helping the police and the police trackers with their investigations which led to the arrest of these people. I think that is tremendous because the people who help the police in their investigations are clearly indicating that they do not condone this sort of behaviour, and that they are prepared to cooperate with the police and bring the perpetrators of such horrible crimes to justice.

On my way to Darwin last Sunday, I took a taxi from my home to the airport. The taxi driver spoke to me about my press release and indicated that the matter should be given serious consideration. I do not know exactly where he obtained all his information but taxi drivers do seem to be excellent sources of information. He said that he had been told that, in the last fortnight, there were no fewer than 8 attacks on people in the Todd River bed. Most involved rape. Another attack was said to have occurred on Friday night. I have not checked that information and I dare say the Chief Minister, who is responsible for police, could ascertain whether the attacks were reported.

However, that brings me to another point. I have discussed this with other honourable members in the area and heard them say on occasion that they are aware of incidents in which some of our tourists have been attacked and young girls have been raped. Many attacks are not reported because of language difficulties or because the victims may be visiting Australia on a 2-week visa. They feel a great sense of shame as a result of the attack and, if they do not return home at the expected time, it will be obvious that something has happened. For that reason, they do not press charges against the people who have committed these outrages. That is of concern to me because it means that the people who commit these crimes must be encouraged into believing that they can get away with it.

If the Todd River were floodlit, it would need to be done with some care and taste but, in my view, it would make the Todd River considerably safer. Certainly, it would be very attractive, and that was one of Mr Kempster's points. Some people see the cost as a barrier, but powerlines run along both sides of the river and therefore I do not believe it would be outrageously expensive. It would mean also that the police would be able to patrol the Todd River far more cheaply and with the use of far less manpower than at present. One often sees police vehicles trying to find their way down the bed of the Todd in the dark of night. It would also give more protection to the Todd Street Mall. Unfortunately, as I predicted when moves were made to close it off completely, the mall is not completely safe. There have been many attacks in the mall at night and I certainly would not use one of the automatic telling machines there at night unless I had a number of people with me. The people who are likely to attack tourists and rob them, whether at the automatic tellers or elsewhere, would probably head for the closest refuge after the attack and that would be the dark bed of the Todd River.

There are many factors which can be balanced against the cost. It could mean fewer police patrols because the Todd would be much easier to patrol. Although it would not make the area perfectly safe - I do not kid myself on that point - I believe it would be safer. It would certainly enhance our reputation because, if the reports are accurate - and I am sure that many incidents also go unreported - the reputation of Alice Springs as a decent town is not being enhanced. The decent people of the town would like to believe that they could walk around the town at any time of the night or day but, obviously, that is not the case. We could at least do something that would make the Todd River, the area where most of the attacks seem to happen, a little safer and, in the process, make it very attractive and enhance our reputation as a decent town.

I put it to members of the government, who will no doubt have the sway, that they should consider seriously the implementation of Lyel Kempster's recommendation. Obviously, the Alice Springs Town Council would need to be involved. I have spoken to a few of its members who seem to be very much in agreement with the idea although, understandably, they have some concern about cost, because the council is fairly skint. I believe, however, that the tourist industry and the people of the town in which I live and which I have the honour to partially represent would be very grateful to the government if it came to the party.

Mr Speaker, I turn now to an article in today's edition of The Australian. During a previous sittings of this Assembly, I stuck my neck out in relation to information I had received to the effect that much of the talk about depletion of the ozone layer was ill-founded and that wrong measurements had been taken because of faulty satellite equipment. I gave the date on which, I had been informed, NASA would issue a statement to that effect. Whilst that statement is certainly not exactly what is contained in today's paper, the way in which the item has been hidden away annoys me greatly. The ozone layer is something which has been of concern to us all, as has the Greenhouse Effect. Indeed, the Chief Minister has been involved in conferences and seminars on the subject.

Tucked away on page 43 of today's edition, where I discovered it purely by chance, is a report headed: 'Ozone Reports Are Alarmist - Scientists'. I will read part of the report: 'One of the world's leading atmospheric scientists says the effects of the depletion of the ozone layer to date have been insignificant, so small they cannot even be measured by the most sophisticated equipment available'. The report goes on to say that, as far as beaches are concerned, there is absolutely no difference between conditions today and those of 20 years ago. It is an article which I would recommend to all members and it is probably worth writing to The Australian to complain that an article of that nature, which expresses a different point of view to the current received wisdom, should be tucked away in such an obscure place.

Some time ago, I mentioned in this House another article which was hidden in The Australian and which appeared under an odd heading. It related to a video called 'African National Congress - VIPs of Violence'. The heading had something to do with Oliver Tambo and Beethoven. I think this is relevant because Winnie Mandela, who was condemned by her own mouth in that video, has in recent days been the subject of accusations that her football team of protectors murdered the 14-year-old leader of a youth group. That allegation certainly gives more credence to the video, a copy of which I have since taken to Channel 8. Whilst the video was not of sufficient quality for public screening, I put the channel in contact with a man who, at considerable risk to his own and other people's lives, had put the video together. It is about

time that the people of Australia had a chance to see 'African National Congress - VIPs of Violence' and to see a different picture to that painted by our masters in the federal government who seem to be the ones calling the tune. The film is horrific, but it gives a totally different picture and should be presented in the interests of balanced reporting.

In conclusion, I reiterate that today's report in The Australian about the ozone layer had a clear headline but was tucked away on page 43 when it should have been on the front page.

Mr BELL (MacDonnell): Mr Speaker, I rise to speak briefly this evening about some pretty sad circumstances which have been reported in the media and which relate to psychiatric patients in the Northern Territory. The question of various classes of psychiatric patients has frequently been a matter for public comment both in the Assembly and in the newspapers. It saddened me greatly to hear of the incidents which occurred in Ward 1 in the Alice Springs Hospital and which were reported in the press on Friday 3 February. I understand that 2 patients with known histories of violence, who had been transferred from Ward 9 of the Royal Darwin Hospital, attacked patients in Ward 1 in Alice Springs.

During the 12 months that I have had shadow responsibility for the health and community services portfolio, I have endeavoured to inform myself about the various facilities which are provided by the Department of Health and Community Services. I have visited Ward 9 at the Royal Darwin Hospital and, although I have not visited Ward 1 in Alice Springs in an official capacity, I have certainly been there.

Mr Poole: As a voluntary patient?

Mr BELL: I have visited Ward 1 and I do not feel any obligation to explain to the member for Araluen or anybody else the circumstances of my visit. I have visited people in various wards of the Alice Springs Hospital at various times and for various reasons. That was one of those visits, the purpose of which I can no longer recall.

The matter for serious concern is that psychiatric facilities in the Northern Territory are not adequate and the government has known that they are not adequate for a considerable time. Some of these patients have a history of violence. Some of the patients, who have come before the courts and have been unable to plead, were transferred to Ward 9 in Darwin prior to the March 1987 election in order to get the issue publicly off the boil. I believe that the government knows that money needs to be spent to provide secure facilities for these people but it has not been spent.

What I want to know from the minister is the basis on which the patients were relocated from Ward 9 in Darwin to Alice Springs. I am concerned that there was inappropriate placement in Ward 1 in Alice Springs and that this has interfered seriously with the role of Ward 1 in Alice Springs as an acute psychiatric ward. It is not able to deal with people in these circumstances. There are many people in the Alice Springs community who require the services of Ward 1. In order for those patients to receive the treatment that they need in Ward 1, it is not reasonable for them to be treated by hard-working staff there when other patients, who have a known history of violence, are admitted.

A number of serious issues arise from this. I expect the minister to make a full statement to this Assembly about the circumstances that have led to

these very dangerous assaults. My understanding is that, in one particular case, a fractured skull resulted from one of these incidents. A non-violent psychiatric patient, who had been transferred from Tennant Creek, was attacked by a patient who had a history of violence and who had been transferred from Ward 9 in Darwin. I believe that some adequate explanation is required of the circumstances surrounding the transfers. Until now, the minister has been silent and that is not adequate. The result is that staff turnover in these wards, both in Alice Springs and Tennant Creek, has been much higher than is desirable. I am concerned that the minister and the CLP government are walking by on the other side. I look forward to hearing some adequate explanation from the Minister for Health and Community Services.

Mr FINCH (Transport and Works): Mr Speaker, I wish to speak very briefly about the earlier beat-ups on the very serious problems surrounding the Fitzgeralds and their dairy farm. I am familiar with this matter because, quite frankly, whilst the government has not been able to find solutions that suit all parties, there is no doubt that it has done everything in its power to date in an attempt to find a practicable and reasonable solution. I call it a beat-up because there is no doubt that the Leader of the Opposition, the member for Barkly and the member for Koolpinyah all clearly understand the legal requirements and entitlements and the matters surrounding access to private properties on public roads.

It was pointed out clearly by the Minister for Lands and Housing in his answer this morning that it is a complex matter. It is a matter that pertains to a sublease of a property, not access to a separately held land title property as such. From my viewpoint, the basic responsibility lies with the lessee. Whilst there may have been an understanding that there would be long-term access through the adjoining section 378 to the Fitzgeralds' dairy farm, that has not proved to be the case in the end. The owners of section 378 gave fair warning of their intention to close the road - some 2 years, I understand.

The government is not in a position to provide magic, overnight solutions involving instant acquisition. That has been outlined by the honourable minister. We are not in a position to spend public funds on providing access to a sublease of a property which is to be used only for another year. The government has already done a fair bit in respect of providing an alternative property which is currently being developed at Middle Point.

What we have been in a position to do is to provide constructive advice. Officers of the Department of Transport and Works have visited the property on a number of occasions. On one particular occasion earlier this month, they had a very constructive meeting with Mr Fitzgerald during which they assessed what would be the most appropriate solution to providing access across the tributary of the Elizabeth River. That was the access associated with the powerline easement. It is wrong to suggest that government has done nothing. When Mr Fitzgerald was facing an oncoming wet season, he utilised the good offices of the Power and Water Authority which cooperated to the full in assisting him to install a couple of large culverts and an access road. Unfortunately, Mr Fitzgerald did not anticipate the full impact of the forthcoming wet season. If it had been a mild wet season, he might have got away with the form of construction that he entered into with the assistance of the Power and Water Authority. Unfortunately, that section was washed out.

The advice that officers of the Department of Transport and Works have given him is that he has 2 ways of upgrading that particular access through the easement. One is to install another 3 large culverts, with some

additional earthworks. That would be quite expensive and, naturally enough, Mr Fitzgerald would be reluctant to do that. The cost estimate was probably in the order of \$25 000. Once again, for access for 1 year only, that would be quite unreasonable.

The member for Barkly harps about small business. That is pure political opportunism. The government has a responsibility to ensure that the right thing is done by people, but also to ensure that the taxpayers' dollars are spent efficiently and effectively. We are looking desperately for practical solutions to this problem.

Another option of access was advised by my departmental officers. In fact, offers of additional technical advice through surveys and design were also offered to the Fitzgeralds. The option was to resort back to a low-level crossing. That would not provide 100% access all the time but, given that showers in those areas dissipate in a reasonable time, to provide a low-level crossing which is almost entirely in place already would probably furnish the most practical and reasonable solution for the balance of this wet season and for the one remaining wet season during which it is expected that the Fitzgeralds will have occupancy.

I emphasise again that to suggest that the government has done nothing is absolutely incorrect. In fact, I understand that Mr Fitzgerald was appreciative of the road engineer's advice to him and, as the Minister for Lands and Housing has outlined already, advice has been given with regard to the legal position and attempts have been made by him quite genuinely to mediate between the opposing groups.

There is no relevance in the suggestions made by the member for Koolpinyah about beef station roads or about Commonwealth land access and public roads on the Churcher Estate. Quite clearly and obviously, they involve different situations. For the members opposite and on the crossbenches to take this matter up out of political opportunism without having a practicable, realistic and reasonable solution to offer is nothing less than hypocritical.

Mr MANZIE (Lands and Housing): Mr Speaker, I will not take very long. However, I think it is important to repeat for the benefit of members and the community that the government has certainly gone out of its way over the last 12 months to try to find a solution to the Fitzgeralds' problem. The Minister for Transport and Works gave a rather detailed resume of the sort of work that has been carried out by officers of the Power and Water Authority and the Department of Transport and Works. This morning, I detailed the sort of involvement that the Department of Lands and Housing and myself have had in relation to the matter. Another property has been provided and a vast amount of government time has been expended. Nevertheless, these people have a real problem and there is no easy solution.

It is most unfortunate that the Leader of the Opposition has probably given false hope in an attempt to gain some political kudos. He cannot provide a solution, but he can certainly chastise. He criticised me for providing some sort of incorrect opinion according to law. In actual fact, I advised Mrs Fitzgerald to contact a solicitor to see what options were available in terms of applying to the court either to establish that there was a public road there or to require that right-of-way be reinstated until such time as they can make other arrangements, or any other course that the solicitor might think appropriate.

Mrs Padgham-Purich: It would cost \$10 000 and they could not afford it.

Mr MANZIE: I cannot do anything else but provide that advice. I have received advice from the Department of Lands and Housing and the Department of Law regarding this matter.

The member for Barkly also chastised me but had no solution to offer. The member for Koolpinyah is concerned about this unfortunate set of circumstances. However, she cannot understand that the only solution - and I wish she would listen while I am speaking, because she was the one who was making a great deal of noise about this, and I am trying to explain ...

Mrs Padgham-Purich: I have 2 ears and I can listen.

Mr MANZIE: I am glad she is listening. She has decided to stop chattering now.

Mrs Padgham-Purich: I can do 2 or 3 things at once.

Mr MANZIE: I am sure the honourable member can do several things at once, Mr Speaker. However, I do not want to raise the spectre in this House.

In respect of the position of the government, the honourable member proposed several solutions. We have looked at all those solutions and others in detail, and most of them are totally impracticable. They cannot be carried out. The only solution that has any hope of success is the acquisition of land. What I was trying to explain to the honourable member this morning is that, if the government took that step - and it is a most serious step - of acquiring the land and the Trezises decided that it should not be acquired or objected to the acquisition, they could create a problem and it would take 3 or 4 years before the acquisition could be finalised.

Mrs Padgham-Purich: You are only saying what you said this morning.

Mr MANZIE: It is important that you listen to me because that is the actual situation. What good would it do for the government to take steps to acquire the land and, 3 or 4 years down the line, when we have acquired the land ...

Mrs Padgham-Purich: Make it an easement then.

Mr MANZIE: To acquire an easement, to acquire any form of access, must involve acquisition by government. If no action were taken in the courts, the matter could be resolved quickly. However, if the people who hold freehold title object, the matter could be tied up for a long time. That would not help the Fitzgeralds because I have been advised that they were given 2 years notice or thereabouts of the intention to close the road.

Contrary to the assertions of the member for Barkly, I am fully aware of what has occurred there. I know the area. I have seen the great pile of earth and material that has been used to block the access. I am not in agreement with what has occurred. I have tried to request that the people involved reconsider their action but the government has its hands tied in terms of providing a quick solution. It would be nice if it could be done, but it cannot be done. However, this House should be made aware of the steps that the government has taken. Considerable assistance has been provided in various ways over the last couple of years. These people were aware that the access would be closed to them.

The other legal position which we should be aware of is that the major landowners, in this case the Meyerings, are really the ones who have the responsibility to provide access. If any legal action should be put in train, they are the people who should take action to try to ensure that the access way is declared to be a public road or that it should be opened to allow access. It is their property that is involved. The Fitzgeralds are leaseholders and access has been provided in 2 areas and from 2 directions for the block owned by Meyerings.

It is a most unfortunate set of circumstances. We have not stopped our search for solutions, but I can assure members that there is absolutely no simple solution. All the advice that I have received points to the fact that the only people who really have any chance of success in having the previous access reinstated are the Fitzgeralds or the Meyerings, and they would have to take action through the courts. There is no other solution that will provide the easy answers that some members opposite think will resolve the situation. I find it unfortunate that some members are encouraging the Fitzgeralds to think that there is some quick fix and that the government can somehow accomplish it. I can assure honourable members that this is not the case. I can also assure honourable members that, if anybody can come up with any suggestion that may solve this problem, either myself or the Minister for Transport and Works, or any other of my colleagues, would certainly investigate it in detail to determine whether it might work. This government has bent over backwards in its efforts to assist the Fitzgeralds. It has probably done more than it has done for anybody in similar circumstances and it is unfortunate that we have been not been successful.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

PETITIONS

Strip Shows on Licensed Premises

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 376 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the honourable Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens respectfully showeth that they are opposed to the proliferation of strip shows and the use of bare-breasted waitresses in hotels and restaurants. These activities are degrading to women and family life as well as to those who participate. Sexual abuse and family violence are rampant in our society. These activities only exacerbate the problem, thus undermining family life. Your petitioners therefore humbly pray that the Legislative Assembly of the Northern Territory will remove strip shows out of the hotel industry and will formulate a code of ethics enforceable by law against licensed places offering strip shows.

Strip Shows on Licensed Premises

Mr HATTON (Nightcliff): Mr Speaker, I present a petition from 253 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read as it is in similar terms to the petition just read.

Strip Shows on Licensed Premises

Mr HATTON (Nightcliff): Mr Speaker, I present a further petition from 15 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Again, I do not propose that this petition be read because it is in similar terms to the petition read earlier.

PERSONAL EXPLANATION

Mr COULTER (Mines and Energy)(by leave): Mr Speaker, I wish to clarify a technicality in relation to the answer I gave to a question from the member for Ludmilla concerning the Devil's Pebbles. The opposition appears to have become very technical of late, but I am certainly able to inform the Deputy Leader of the Opposition that I have no personal involvement in the matter whatsoever other than in the administration of the legislation or by way of delegation. By that, I mean simply that I have not been involved. I have not been to visit the site and I have not been provocative in any way. I would like to clarify that. What actually happened there has nothing to do with the technicalities and esoteric depths to which the Deputy Leader of the Opposition is likely to go.

MOTION

Discharge of Items from Notice Paper

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the following items be discharged from the Notice Paper: East Timor - Visit by Chief Minister - Ministerial Statement; De Facto Relationships - Report of the Northern Territory Law Reform Commission; Review of Consumer Affairs Policy and Legislation in the Northern Territory, Working Group Report - Ministerial Statement; Road Safety - Ministerial Statement; Ombudsman's Report 1986-87 - Paper; Child Abuse - Ministerial Statement; and Domestic Violence, Draft Bills - Ministerial Statement.

Motion agreed to.

PERSONAL EXPLANATION

Mr EDE (Stuart)(by leave): Mr Speaker, the Minister for Mines and Energy challenged me across the floor to give an account of the situation to which he referred in his personal explanation. I took exception to the minister's statement that the first indication that there was a sacred site in the area of the Devil's Pebbles occurred when the mining application was made. As you yourself know, Mr Speaker, that is quite incorrect. The issue was raised in 1980 in the course of the Warumungu Land Claim and again, much more noticeably, when a pebble was taken from the site and placed in the centre of Tennant Creek. When that occurred, the custodians of the site stated very publicly that it was sacred and, to their credit, the people of Tennant Creek, who had been responsible for moving the pebble, replaced it. That event did receive more than local coverage. In fact, it was reported in London newspapers. The importance of the site and the stones to Aboriginal people was a matter of national and international knowledge.

Mr Coulter: Why wasn't it registered?

Mr EDE: If the minister wishes now to change his ground and move from the demonstrated importance of the area back to the process of registration, he may wish to know of a very important custodian of that site who died shortly after the incident involving the removal of the pebble. People have been sorrowing over that death for many years and that is why the actual process has not been gone through. The fact of the site's significance, however, has been known since at least 1980 to all the people of Tennant Creek.

STATEMENT

Aboriginal Deaths in Custody

Mr PERRON (Chief Minister): Mr Speaker, in 1988, the Prime Minister requested Commissioner Muirhead to report on the progress of the Inquiry into Aboriginal Deaths in Custody. The interim report was provided to the Commonwealth, state and territory governments on 21 December 1988, and I now table a copy of it. A meeting of Commonwealth, state and territory ministers responsible for Aboriginal affairs was held in Canberra last week to consider the interim report. The Minister for Health and Community Services attended that meeting and, during the course of these sittings, he will advise this Assembly of the outcome.

Turning now to the report, I advise that its 56 recommendations have been considered by the Northern Territory government. I propose to inform this Assembly of the government's views in regard to each recommendation. Before doing that, however, there are some matters of a general nature in relation to

the inquiry on which I propose to touch. I note that, recently, Senator Bob Collins has been calling for changes to the terms of reference of the inquiry in order to look at why there is a high Aboriginal prison population. Senator Collins also points out that the report finds that the rates of Aboriginal and non-Aboriginal deaths in prison are in the same proportion to their respective representation in the prison population.

The Northern Territory government is fully aware of the problem of Aboriginal over-representation in Territory prisons. The report states on page 85 that an Aboriginal person is 10 times more likely than a non-Aboriginal person to be in prison, and that is a national tragedy. However, to quote from the same page of the report: 'The highest levels of over-representation are found in South Australia and Western Australia, while the lowest are found in Tasmania and the Northern Territory'. The levels of over-representation in South Australia and Western Australia are 15.86% and 11.49% respectively, while the levels in Tasmania and the Northern Territory are 1.83% and 3.19% respectively. This situation occurs despite the fact that Aborigines consistently make up 70% of prisoners whilst representing 24% of the general Northern Territory population. In other jurisdictions such as South Australia and Western Australia, Aborigines are far more over-represented in the prison population in terms of their percentage in the general population.

The comparatively low level in the Northern Territory is due in no small part to the progressive attitudes of this government towards the adoption of alternatives to custodial sentencing. These include:

The decriminalisation of public drunkenness and the funding of sobering-up shelters. It is an unfortunate fact that Aborigines form an overwhelming proportion of persons apprehended for protective custody (approximately 90%). Further, where sobering-up shelters are in operation, a significant proportion of the persons apprehended are released to the shelters. For example, in Alice Springs in October 1988, nearly 74% of all those apprehended were referred to the sobering-up shelter.

The introduction by Correctional Services of a structured bail assessment supervision service as an alternative to remanding persons in custody, which has special application in reducing the high number of Aborigines in custody.

The availability of community service orders as an alternative to payment of fines, with the resulting avoidance of imprisonment in default. Since this option was introduced in January 1987, the number of fine defaulters in Territory prisons has reduced from approximately 650 per year to about 80, these being persons who refused to carry out community service work as an alternative. Aborigines form a large part of the disadvantaged group who may be unable to pay fines and would otherwise be incarcerated.

Generally, in terms of correctional services, we are dealing with a predominantly Aboriginal prison population. Prison routines and programs have therefore been designed to meet special Aboriginal needs. Examples include minimum security venues such as those at Beatrice Hill, Gunn Point and the mobile work camp programs.

All Territory prisons provide dormitory accommodation for Aboriginal prisoners, which considerably reduces the trauma of imprisonment.

There are, of course, situations such as protection in which single-cell accommodation must be used.

Despite these initiatives, the Northern Territory government is far from complacent about the situation and will continue to seek alternatives to custodial sentencing as a way of dealing with minor offences and seek ways of reducing the disproportionate representation of Aborigines in the prison system.

The government has also noted the report's findings of similar Aboriginal and non-Aboriginal rates of custodial fatalities. Indeed, it is valid to ask why all deaths in custody should not be investigated. That would, however, be an enormous task. It is important to note in this regard that 39 of the 56 recommendations in the report - or 70% of them - are of universal application.

Apart from the valuable spin-offs in terms of the matter of deaths in custody in general, there are other important considerations. The inquiry into specific Aboriginal deaths has raised legitimate expectations in the hearts of relatives of the deceased that the deaths would be fully investigated. It would be cruel indeed if these expectations were now to be dashed. Further, any perceptions of injustice will be fully addressed. Obviously justice must be seen to be done and, if any areas of the administration are found to be wanting, they will be dealt with.

A further consideration is that, at the time of the report, evidence had been completed in relation to only 16 of the 103 reported Aboriginal deaths in custody. On any view, it is too soon to draw any safe conclusions from interim findings of the inquiry. It may be that an inquiry into the reasons for the over-representation of Aborigines in the prison system would be a valuable exercise. However, such considerations should not deflect the main task of the Royal Commission. I will proceed to deal with the recommendations.

Recommendation 1: Governments which have not already done so should legislate to enforce the principle that imprisonment should be utilised only as a sanction of last resort.

The recommendation accords with current sentencing practice in the Northern Territory. On page 16 of the report, under heading 4.2, Commissioner Muirhead notes that 'such legislation must be accompanied by the establishment of schemes and services designed to protect and rehabilitate outside the custodial environment' and that difficulties would be encountered 'in the absence of community-sponsored facilities for use, treatment and education'. A comprehensive review of sentencing which takes account of these difficulties has been under way for some time and legislation and policy issues pertaining thereto are currently being considered.

Recommendation 2: Legislation should be introduced to ensure that sentences of imprisonment are not automatically imposed in default of payment of fines. Such legislation should provide alternative sanctions and impose a statutory duty upon sentencers to consider a defendant's means to pay in assessing the appropriate monetary penalty and time to pay by instalments or otherwise.

Legislation is already in place and effective in the Northern Territory. Community service is available to all persons who are fined.

Recommendation 3: In jurisdictions where drunkenness has not been decriminalised, governments should legislate to abolish the offence of public drunkenness.

Drunkenness has been decriminalised in the Northern Territory.

Recommendation 4: The abolition of the offence of drunkenness should be accompanied by adequately funded programs to establish and maintain facilities for the care and treatment of intoxicated persons.

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.

Recommendation 5: Legislation decriminalising drunkenness should place a statutory duty upon police to consider and utilise alternatives to the detention of intoxicated persons in police cells. Alternatives should include options of taking the intoxicated person home or to a facility established for the care of intoxicated persons.

Police General Orders require persons apprehended for 'protective custody' to be placed in a sobering-up shelter or released into other adequate care except where they have committed offences, have outstanding arrest warrants or are too aggressive to be placed in such care. The recommendation that intoxicated persons should be taken home needs further consideration. Some persons ought not to be taken home because of a history of disorderly behaviour or domestic violence. It may be impracticable to take some persons home because of the distances involved.

Recommendation 6: In the states and the territories where public drunkenness has been decriminalised, adequately funded alternative facilities for the care of intoxicated persons should be urgently established and maintained to meet the demonstrated needs.

Mr Speaker, this matter has been dealt with under recommendation 4.

Recommendation 7: All governments should combine to set up a national task force to examine the social and health problems created by alcohol and confronted by Aborigines in many localities, to assess the needs and means to fulfil the needs, including legislative action, and the establishment of appropriate facilities for short- and long-term care, education and training. The Aboriginal health services and other medical resources should be well represented and such a project should be essentially health-oriented.

This recommendation needs further consideration at the national level. However, a number of national bodies, including the House of Representatives Standing Committee on Aboriginal Affairs, the federal and state Health Ministers Conference and the Australian Aboriginal Affairs Ministers Conference already exist. It may therefore be that a need for a further task force does not exist.

Recommendation 8: Police officers should receive emphasis in training that arrests for minor offences must be avoided when alternative steps are available.

With the unavoidable exception of street disorder offences, there are few arrests for minor offences in the Northern Territory. In recruit training and in-service programs, it is emphasised that arrests for minor offences must be

avoided. Police General Orders require police not to make an arrest for a minor offence where the offender can be made amenable by summons. Police are expected to exercise forbearance and discretion in such cases. Steps are being taken to ensure that this philosophy is reinforced in all aspects of training.

Recommendation 9: It should be the duty of officers in charge of police stations to evaluate (with a view to providing guidance for future situations) the decisions made by officers engaged on police patrols to arrest rather than proceed by summons or caution.

Police General Orders require the arresting member to discuss the arrest and the appropriate charges to be laid with the officer in charge of the police station and it is the responsibility of the officer in charge to ensure the propriety of any charge to be preferred. The general orders further allow the officer in charge to refuse to accept facts elicited and to refuse to lay a charge. The Commissioner of Police issued instructions in July 1988 reminding divisional officers of the need to reduce cell capacity to a minimum. The commissioner stressed that alternative action be taken wherever possible, such as summons and bail or use of diversionary facilities where available.

Recommendation 10: The operation of bail legislation should be closely monitored by each government to ensure that the entitlement to bail as set out in the legislation is being recognised in practice.

Bail legislation is closely monitored in the Northern Territory. Correctional Services has a strong emphasis on the development of structured bail supervision as an alternative to remand in custody. The above is in addition to legislation requirements on police to inform arrested persons of their right to bail.

Recommendation 11: Where practicable, the Aboriginal legal service should be notified in all instances of the detention of any Aboriginal person in custody. Where it is not possible to contact an officer of that service, such notification should be given to a person designated by the local Aboriginal community to receive such advice.

Under an existing arrangement, Aboriginal legal aid services will receive such information on a daily basis if they contact the police. Such agreements exist with the legal aid service in Darwin, Katherine and Alice Springs. In any event, at every police station, the nearest Aboriginal legal aid service is contacted as soon as practicable whenever any Aboriginal in custody requests legal assistance or whenever the police consider in all fairness that legal assistance should be provided. These instructions do not apply to intoxicated persons taken into protective custody as the sheer numbers make it impractical.

Recommendation 12: In no case should a person be transported by police to a lockup or watch-house when that person is either unconscious or not easily roused. Such person must, if found on patrol, be immediately taken to a hospital or medical practitioner or, if neither facility is available, to a nurse or other person qualified to assess their health.

Recommendation 13: A person found to be unconscious or not easily roused whilst in the watch-house or cell must be conveyed immediately to a hospital, medical practitioner or nurse. Where medical aid can be summonsed more quickly to the watch-house or cell or there are reasons for believing that

movement may be dangerous for the health of the detainee, such medical attendance should be sought.

Mr Speaker, Police General Orders provide for situations where a person is unable to be roused. In such situations: (a) the person should be taken immediately to the casualty area of the nearest hospital or medical centre; or (b) the St John Ambulance Service called; or (c) arrangements should be made for medical attention to be given at the scene or at the place where that person is in custody. According to the circumstances, the most appropriate of the above courses of action is to be taken.

Recommendation 14: Police officers whose duties may require them to perform watch-house duties should undergo training in the recognition of symptoms of head injuries, major illnesses, and in first aid and resuscitation techniques.

Police undergo advanced St John Ambulance training. The course covers recognition of symptoms of head injuries, major illnesses and the latest resuscitation techniques.

Recommendation 15: Persons detained in custody must be closely monitored for the first 6 hours of detention and the appearance of the person should be recorded. Where persons detained are apparently intoxicated or appear angry or disturbed, very close surveillance must be maintained.

Persons detained in police custody are closely monitored for the first 6 hours of detention at larger stations. This applies particularly to intoxicated, disturbed or angry persons. At small police stations, from time to time, prisoners are held in custody without supervision due to staff constraints. Part-time policing schemes to overcome the situation are presently under consideration.

Police General Orders provide for the care and custody of prisoners. Subject to the problems with small stations, all prisoners must be checked regularly. Where prisoners are awake, they are to be spoken to and their responses listened to. Sleeping prisoners are to be checked to ensure that they are breathing comfortably and appear in good health. If the inspecting member has any concerns, a sleeping prisoner must be woken and checked. If time permits, members should converse with prisoners and attempt to allay any fears or concerns that may be expressed.

In July 1988, the Commissioner of Police issued instructions stressing that persons taken into custody must be closely screened for injuries or any other medical conditions. Such persons should preferably be kept out of the cells pending proper medical assessment. The police are currently assessing the value of a prisoner screening test. The screening test is currently in loose-leaf form. A decision will be made in due course as to whether the form will be incorporated in the charge book and protective custody register. With regard to prisons, all persons received into Territory institutions are closely monitored for the first 24 hours of custody.

Recommendation 16: Angry or aggressive detainees, no less than detainees who appear withdrawn or depressed, should be presumed to be potentially suicidal in custody notwithstanding assertions to the contrary made by them.

I am assured by the police that they will maintain their best endeavours. I am also advised that many detainees are angry and aggressive and that this causes logistical problems. Prisons have a greater capacity in this regard as

they do not have to deal with intoxicated persons, and special attention is paid to the demeanour and psychological state of a prisoner on reception. Where appropriate, additional checks are made and extra caution is taken when a prisoner in a disturbed state is received.

Recommendation 17: No medication, apparently prescribed for a detainee, should be denied. Any decision not to permit the detainee to take such medication must be made only by a medical practitioner or, in the absence of same, by a duly qualified nurse or health worker.

Mr Speaker, both police and Correctional Services already comply with this recommendation.

Recommendation 18: In all cases, unless there are substantial grounds for believing that the well-being of the detainee or other persons detained would be prejudiced, an Aboriginal detainee should not be confined alone in a cell. Where solitary incarceration is the only alternative, the detainee must thereafter be treated as a person who requires careful surveillance.

Police and correctional services have always practised this procedure except in cases where a security consideration exists.

Recommendation 19: As soon as practicable, all cells should be equipped with alarm and intercom systems which give direct access to custodians. Priority should be given to providing such systems at smaller police lockups where surveillance resources are limited.

The police agree with this recommendation and are presently preparing a submission for funding to instal alarms or intercom systems in all cells. With regard to prisons, all cells and dormitories, except in Alice Springs, have direct access to custodians. Plans are in place to equip Alice Springs Prison this year.

Recommendation 20: An Aboriginal detainee should be assisted to communicate with the Aboriginal legal service and should be entitled to private visits by a lawyer or a field officer from that service.

With regard to the police, I have already addressed this in part of my response to recommendation 11. In addition, Police General Orders permit lawyers to visit prisoners privately on request. With regard to prisons, all prisoners are entitled to visits by their lawyers.

Recommendation 21: Visits by family members or friends should not be unreasonably restricted.

The police encourage visits by family members to prisoners. Family access is almost unlimited and it is rare for a person to be denied access at any reasonable time. As far as prisons are concerned, visits to all prisoners are contact visits and special arrangements are made where possible for Aboriginal visits which take into account traditional taboos and relationships.

Recommendation 21: In consultation with Aboriginal communities and their organisations, cell visitor schemes should be introduced to service police lockups and watch-houses where practicable.

Police General Orders provide for a cell visitor scheme at all police cells. These have been introduced in the Northern Territory in consultation with Aboriginal communities and communities generally. Aboriginal councils

and organisations have assisted in many instances. All stations have identified suitable nominated visitors. However, there have been problems with the scheme because of an apparent reluctance on the part of some of the nominated Aboriginal cell visitors to come to the cells regularly. Considerably less difficulty is experienced with regard to the family and relations of the prisoners, particularly at small stations.

In the major centres, Salvation Army and other non-Aboriginal churchmen visit the cells regularly. In addition, Aboriginal police trackers have been successfully used as cell visitors. Despite the difficulties, all members have been directed to positively encourage and foster the scheme as a permanent and important feature of the custodial process.

Recommendation 23: Governments in all jurisdictions should ensure that all police cells are surveyed and that measures be taken, where necessary, to screen hanging points and to replace equipment or materials which are not suicide resistant.

The police have conducted a comprehensive cell survey. All police cells are progressively being made as suicide-proof as possible by screening hanging points and upgrading surveillance.

Recommendation 24: Until cells are brought up to what experts regard as a safe standard, surveillance of detainees must proceed on the assumption that they are at risk of death.

I have already partially addressed the matter of surveillance in my response to recommendation 15. However, I am advised that, if constant or special surveillance is to be required as a matter of course, practical difficulties will arise, particularly at small stations. The concept of the part-time policing scheme, as previously mentioned, may assist in overcoming this difficulty.

Recommendation 25: A task force should be established among the police departments, in consultation with the Australian Institute of Criminology, to establish a standard and program for the upgrading of police cells to a level where the opportunity for death by suicide is substantially reduced by appropriate cell design and equipment. The task force may consider alarm and communication systems and techniques to minimise the sense of isolation and loneliness which I believe are experienced, particularly by the young.

The police support the establishment of such a task force. Territory programs are already in place to build new cells and upgrade existing cells. In view of extreme Territory climatic conditions, it is unlikely that a standard Australian cell design could be used. The Territory upgrading programs therefore will not be delayed pending the establishment of a task force.

Recommendation 26: Police and prison departments should reassess their recruitment policies and liaise with appropriate Aboriginal organisations and educational institutions to ensure that positive encouragement is given to the recruitment of Aborigines.

Correctional Services currently employs 26 uniformed Aboriginal officers, which is 10% of uniformed staff. Aboriginal recruits are actively encouraged and, in 1988, 28% of all recruits were Aboriginal. The police agree with the concept of positive encouragement for the recruitment of Aborigines. Over the years, there has been a constant effort to try to recruit Aborigines into the

police force, unfortunately with only limited success. The police would welcome input from both Aboriginal and educational institutions and this will be actively sought. Recruiting policies will be reviewed accordingly. The Police Aide Scheme is a positive step to the introduction of Aborigines into policing. The scheme commenced in 1979.

Recommendation 27: Appropriate screening procedures should be implemented to ensure that potential officers who have contact with Aboriginal people in their duties are not recruited or retained by police and prison departments whilst holding racist views which cannot be eliminated by training or retraining programs.

It is very difficult to determine whether an officer holds racist views. Correctional Services recruitment officers attempt to screen applicants for obvious racist views and beliefs. The service has a commitment to employ and retain the services of officers who meet the requirements and standards applicable to a multicultural society such as the Northern Territory.

The police use screening procedures in the recruiting process. Applicants are canvassed during interviews regarding possible racist views using a procedure designed in 1982 by Professor D.N. Gibbs, a senior lecturer in psychology at Flinders University, Adelaide. In addition, applicants complete psychological screening tests which are evaluated by a consultant psychologist. The tests, among other things, endeavour to identify people with racist attitudes. I am sure that applies not only to racist attitudes towards Aborigines, Mr Speaker.

Recommendation 28: Police and prison officers whose work involves the apprehension and/or detention of persons in custody should receive basic training to enable them to identify persons in distress or at risk of death through illness, injury or suicide.

All prison officers are trained in processes of observation of prisoners for whom the institution has a concern. They are also trained to identify persons at risk. As I mentioned earlier, all police hold first-aid certificates and a prisoner screening test paper has been adapted for use by the police.

Recommendation 29: Police and prison officers should receive training in first-aid and resuscitation techniques and the use of automatic resuscitation equipment. Regular refresher courses should be provided so that officers' proficiencies are kept up to date.

All police recruits are trained in resuscitation techniques, including the use of automatic resuscitation equipment. St John first aid refresher training for police commenced in January 1989. All prison officers are required to pass the St John Certificate Course during the recruitment course. As at January 1989, 120 officers held valid certificates. Refresher courses to enable the remaining 164 officers to renew certificates are programmed for 1989. All prison officers are required to attend the safety and resuscitation course. This 2-day course teaches the use of automatic resuscitation equipment. At present 55 officers have been trained. It is envisaged that all uniformed staff will have completed the course by December 1989.

Recommendation 30: Prison and police officers should receive regular training in restraint techniques, including the application of restraint equipment.

Mr Speaker, police recruits are trained in restraint techniques and the application of restraining equipment. There is no refresher training except for members of the task force. To regularly retrain operational members would be very costly. However, the possibility for it to be included in all in-service training programs is being examined. All prison officers are trained by qualified instructors in the use of restraint techniques.

Recommendation 31: Restraint methods which involve constriction of air supply or carotid pressures such as 'choke holds' or 'head locks' should never be used.

Mr Speaker, police recruits are trained in defensive techniques which preclude the use of choke holds or head locks. The use of such measures is actively discouraged. However, in extremely violent situations, even expertly trained persons may use unorthodox techniques when their personal safety is at risk. The use of choke holds or head locks by prison officers is not permitted in normal practice. All officers are accountable, of course, for their actions under the provisions of the Criminal Code.

Recommendation 32: All personnel of police, prison, social welfare or other departments whose work will bring them into contact with Aboriginal people should receive appropriate training or retraining to ensure that they have an understanding and appreciation of Aboriginal history, culture and social behaviour and the ability to effectively communicate and work with Aboriginal people.

New police trainees undergo a 2-phase training program in which heavy emphasis is placed on the importance of good police-Aboriginal relations. A significant part of the course is devoted to specific Aboriginal issues. A number of peripheral issues are covered in other subjects. All material is presented by external experts from Commonwealth departments and community organisations. Following the recommendations arising from the police-Aboriginal workshop conducted in December 1987 at the Australian Police Staff College, recruits now visit the Batchelor College where instruction and discussion centre on police and Aboriginal issues.

An anthropology component consisting of a series of lectures is also included. The general thrust of the lectures is to provide the participants with a positive and practical appreciation of Aboriginal culture and society. Whilst some in-service training courses reflect Aboriginal issues, steps are being taken to research a seminar on Aboriginal matters which will be offered to all members. It is hoped that this will be designed for presentation early this year.

With regard to correctional services, all prison officers are exposed to a considerable amount of information on Aboriginal culture, history and social circumstances. The position regarding Correctional Services is further developed in my response to the next recommendation.

Recommendation 33: The Aboriginal component of training courses should be prepared in consultation with representatives from the Aboriginal community. Training courses in Aboriginal issues should be examinable.

The Aboriginal component of the current police recruit training course is designed and presented by Mark de Graff, a senior lecturer in anthropology from the Darwin Institute of Technology. There is also input from Aboriginal people at Batchelor College and from the Aboriginal community at Bathurst Island as well as Barunga, south of Katherine. The matter of whether course

content on Aboriginal issues should be examinable is presently being considered.

Correctional Services has decided to adopt courses along similar lines to those of the police, although the service is not committed to the proposition that the courses be examinable. A major expansion in this area will occur this year, utilising the Aboriginal corrections officers.

Recommendation 34: Aboriginal police aide schemes should be re-examined to ensure their role is not merely to assist the police in everyday duties, but rather to advise the police and to operate as a true link between the police and the Aboriginal population. They must be perceived by both the police department and the community as persons not only with understanding but with a voice.

The Police Aide Scheme was introduced in 1979 in an attempt to provide a police service responsive to Aboriginal communities and to bring Aborigines into the law enforcement role in a formal way, particularly on settlements. All police aides participate annually in a 4-week refresher course at Batchelor College. Police aides also participate in selected segments of law enforcement lectures conducted in normal police recruit and refresher courses.

The powers of the aides are continually under review and, where these powers are increased, the instrument of authority is varied accordingly. Following a special training course, a pilot scheme giving police aides selected increased powers concerning driving and traffic offences was introduced at Milikapiti and Nguiu at the request of Nguiu Council. The police now have positions for 24 police aides in 21 communities throughout the Territory. The communities involved fully support the scheme and give that support to the individual aide. A good example of the success of community policing is at Bagot Reserve, where the number of calls to incidents has declined since an aide was appointed. At 4 locations, police aides operate successfully without any other police presence.

Police have learnt to rely on their police aides, and use them to great advantage. Examples include conversing in local languages, advising concerning intricate cultural matters, assisting police during patrols, carrying out outstation patrols and intimate knowledge of the local geography.

Recommendation 35: Steps should be taken to ensure that Aboriginal police aides have a true career structure and receive proper training and support to enable them to operate in the manner most conducive to effective policing in Aboriginal communities, an important component of which is the creation of better understanding.

The police see merit in this recommendation. An examination will be made with a view to providing a better structure for the recruitment, development and training of police aides for a particular area within their own tribal environment. This should also provide the opportunity for aides eventually to enter the force as regular police officers in that area. Police aides are proposed in the first instance by communities. An exhaustive inquiry is then conducted with regard to the acceptability of the candidate to the clan groups and the sections within the kinship structure in the area. This results in community confidence in the aides. As a general rule, aides are not transferred from one community to another as this would break the bond between the aide and the community.

With police aides at communities where there is no other police presence, there is now a very tangible extension of law and order. Aides help keep those communities under control, and can summon police assistance as required. Experience indicates that aides are unlikely to request police assistance unless it is really necessary.

There is the potential to recruit from the Police Aides Scheme into the regular component of the force. To achieve this, there is a need to bring the aides to a satisfactory standard of education where they will be able to perform the full range of police duties. This may be a slow process. A patrol base is soon to be constructed at Galiwinku. It will be manned by 2 police aides and will be the possible forerunner of further bases to provide self-policing. A long-term project to design and implement special training courses to produce Aboriginal constables is presently under consideration.

Recommendation 36: Prison medical services should be responsible for obtaining comprehensive medical histories for Aboriginal prisoners. This includes records of prior treatment from hospitals, health services and other prisons. A prisoner's medical history files, or duplicates thereof, should accompany the prisoner on transfers to other institutions.

Most Aboriginal prisoners have medical records in the government health system. Prison medical files are created, based on government health system data. The release of this data to the prison medical record is, of course, dependent on the prisoner's consent. All relevant data from other sources is included in the record; for example, community health records are integrated with hospital records where possible.

Recommendation 37: Governments should ensure that prison medical services are completely independent of departments of correction and that the relationship between prisoners and medical staff is one of general confidentiality.

The present prison medical service in the Northern Territory consists of a medical practitioner, a nurse based at each prison, public hospitals and specialist psychiatric services. The medical services are provided by the Department of Health and Community Services which also provides correctional services. The prisoner medical service is separated from custodial services in so far as there is a separate clinic within the prisons and the prison medical records are housed discreetly and are not available to custodial services. Medical confidentiality is therefore maintained. The medical service advises custodial services of any medical condition which will affect the custodial care of the prisoner or other prisoners.

Recommendation 38: Correctional institutions should have 24 hour a day access to medical practitioners. In addition, as a minimum standard, correctional institutions should have permanent full-time medical or nursing staff providing medical services to prisoners which are available night and day, 7 days a week.

The correctional institutions have 24-hour access to medical practitioners. The prisons in Darwin and Alice Springs have on-site medical and nursing staff 5 days a week with after-hours and weekend access to the nearby public hospital. Alice Springs Hospital is next door to the Alice Springs Prison. Prisoners housed in work camps, Gunn Point, Beatrice Hill and so on have been medically assessed as being fit for work in those more remote areas.

Recommendation 39: Police officers should ensure that any person detained in police custody who asks to see a medical practitioner receives immediate medical attention. Police departments should ensure, wherever practicable, that police officers have access to medical practitioners 24 hours a day.

Police General Orders provide that medical attention to a person in custody is to be afforded at all times. This does not create any problem in larger centres where a 24-hour service is accessible. However, it is possible that problems could be experienced at some isolated stations.

Recommendation 40: Police and prison officers should be instructed to immediately seek medical attention if any doubt arises as to a detainee's condition.

Police General Orders require police to seek immediate medical advice if there is any suggestion that a prisoner is suffering any injury or distress. All prison officers are aware of the need to immediately seek medical attention for any inmate showing signs of a serious or life-threatening illness.

Recommendation 41: Automatic resuscitation equipment should be available at all police stations and prisons. The equipment should be readily accessible and in working order.

The police have purchased 36 laerdal silicone resuscitators from St John Ambulance for distribution to 33 police station and 3 police aide stations. Training in the use and maintenance of the equipment will be provided. As officers become qualified in the use of the resuscitators, their stations will be so equipped.

With regard to Correctional Services, automatic resuscitation equipment is available at all institutions and officers are being progressively trained in its use. It is anticipated that all uniformed staff will have completed a safety and resuscitation course by December 1989.

Recommendation 42: Hospitals that are regularly attended by Aboriginal people should review existing procedures in casualty, in consultation with Aboriginal medical services, to reduce the likelihood of Aboriginal patients receiving ineffective diagnosis and treatment.

The accident and emergency procedures in the public hospitals in both Darwin and Alice Springs are continually reviewed. In Darwin, there are 3 Aboriginal liaison officers who are available 24 hours a day to assist medical staff with Aboriginal patients. There are 2 Aboriginal liaison staff available to the Alice Springs Hospital, although this is not a 24-hour service.

Recommendation 43: In the provision of health care to Aboriginal prisoners, departments of corrections, police departments and prison medical services should consult with Aboriginal medical services, where such services are available.

The police are committed to the view that the best and most immediately available treatment should be sought at all times. In Alice Springs, traditional Aboriginal healers have been brought to the jail to resolve some problems. In general, there are sufficient numbers of Aborigines available to resolve any issue involving Aboriginal culture and concerns. Occasionally, a patient under the care of an Aboriginal health service has continued under

that care whilst in jail. The mandatory AIDS blood test has been performed by Aboriginal assistants, to overcome cultural concerns when identity questions have arisen.

Recommendation 44: The functions and status of the office of coroner require examination and reassessment with full recognition of the public value of that role. I suggest the Victorian system be examined as providing a model which can be adapted where geographic conditions so require. I consider this recommendation deserves urgent attention.

The Victorian system is currently being examined. Some difficulties are envisaged with regard to the implementation of certain aspects of the scheme in the Territory. These difficulties relate to the presence and active role of direction of a coroner at the scene of investigation of a death in custody. These functions have the potential to split the chain of command exercised by the police, thus causing confusion. In addition, the coroner may find it difficult to approach the subsequent court inquiry with an unbiased and impartial mind. There are, however, other positive aspects of the system. Despite substantial resource and other implications, no conclusion has been reached on the matter at this stage and further research is proceeding. Comments from Aboriginal legal aid services have also been sought in regard to this recommendation.

Recommendation 45: It is important that all custodial deaths should, by legislation, be the subject of coronial inquiry.

Legislation is in place in this regard in the Northern Territory.

Recommendation 46: Such an inquiry should be thorough and, unless for compelling reasons, held in public. The coroner should, if he or she so requests, be assisted by counsel. A full transcript of evidence should be taken and retained.

The policy is that all deaths in custody are subject to full public coronial inquiry.

Recommendation 47: The relatives of the deceased should be advised of the date of the coronial hearing and the Aboriginal legal service should be so advised.

This is normal coronial practice in the Northern Territory.

Recommendation 48: The family of the deceased should be entitled to legal representation at the inquest and the government should pay the reasonable costs of such representation through legal aid schemes or otherwise.

Any Aboriginal person is entitled to legal aid for a coronial inquiry. As advised in my response to recommendation 44, comments on coronials have been sought from Aboriginal legal aid services in the Territory.

Recommendation 49: Police investigations should be conducted by officers who are highly qualified as investigators - as a result of experience in the criminal investigation branch, for example - and responsible to one senior officer.

The death of a person in police custody is an extremely serious matter. It receives the immediate attention of senior officers who direct the course of the investigation. The commissioner's policy is to have the investigation

conducted by investigators not attached to the division in which the death in custody occurred, and preferably led by a senior investigator not attached to the particular command. However, this is not always possible due to the relatively small size of the police department and the necessity to use the best investigators. There is no point in handing such an investigation to a less experienced officer for the sake of being seen to have an impartial person in charge. As with all serious matters with which police deal, the commissioner requires frequent briefings on a death in custody investigation. The overview is therefore from the commissioner down, which ensures that all areas requiring investigation are public.

Recommendation 50: Police inquiries should not be hampered or influenced too far by reason of the outcome of the autopsy or assumptions conveyed to the police by custodians as to the cause of death. Suicide should never be presumed.

The police view is that, in investigations into deaths in custody, suicide should never be presumed.

Recommendation 51: Police investigations should be akin to those relating to homicide and should involve thorough examination of the death scene, the seizure of exhibits and the retention of clothing for forensic examination. High-quality photography should be a normal incident of such investigations.

The police agree and currently follow this process of investigation. All investigations into a death in custody follow the customary criminal investigation procedures. Interviews are tape-recorded, although equipment difficulties may occur in remote localities. A pilot study of the audio tape-recording of interviews of suspects is in progress. A comprehensive system of audio tape-recording will be introduced in due course. Specialised equipment is used for the pilot study which, once available, will also be available for use in recording interviews with police in relation to deaths in custody.

Recommendation 52: In police investigations, the search for witnesses must be thorough. In the case of prison deaths, statements should be taken as soon as practicable from all persons who may have been located near the scene of death, as well as from relevant prison staff. Where suicide is suggested, the inquiries should extend to the deceased's family and to others in an endeavour to ascertain suicidal tendencies or suggestions of suicide. Prison, hospital or medical records should be obtained and retained.

The police note that some difficulties may be encountered in relation to obtaining confidential health records. Practical difficulties may also be encountered in using interstate agencies to inquire into the deceased's background. Subject to these reservations, the police have fully adopted this recommendation.

Recommendation 53: In the case of deaths in police lockups, or from causes possibly sustained therein, the police involved in the deceased's custody should never take part in the investigating process, save as witnesses or, where necessary, in securing the scene for general and forensic inquiry. Police investigation should be conducted by senior officers who may be regarded as independent from the officers who were custodians at the time of the death.

Mr Speaker, the police currently follow this procedure of investigation.

Recommendation 54: Running sheets and full records of police investigations should be retained.

As custodial deaths receive a full homicide investigation, each matter is fully documented for the coroner and is retained for future reference.

Recommendation 55: The investigations into deaths in police lockups should include a full inquiry into the circumstances leading to incarceration, including the circumstances of arrest or apprehension and the deceased's activities beforehand.

Investigations into deaths in police cells include a full inquiry into the apprehension as well as an inquiry into the deceased's activities beforehand as part of the homicide investigation.

Recommendation 56: Families should be notified of any deaths in custody or of serious illnesses and transfers from custody to hospital as soon as practicable. The nearest Aboriginal legal service or some other Aboriginal community organisation should also be notified immediately of a death in custody by the responsible authority.

It is current practice to notify the next of kin in all cases of death or serious illness which, as a matter of course, includes the notification of the whereabouts of the body or the seriously ill person.

Mr Speaker, I am sure that honourable members will be pleased to note that the Territory already complies to a large degree with the list of recommendations. Where it does not, the various matters are under active consideration and decisions in these respects will be taken at an early date. Finally, I wish to endorse Commissioner Muirhead's concluding paragraph in which he stated:

At the conclusion of this, our bicentennial year, calls are made by some to abandon the commission or restrict the thoroughness of inquiries. Australia must know the truth behind the deaths or else we must forever live with the knowledge that our fear of the truth or our misguided sense of priorities caused us to abandon an essential and momentous decision to examine a little of our national character and the behaviour of people in authority.

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

Mr SPEAKER: Order! I am sorry to interrupt the proceedings of the Assembly but, in view of a malfunction in the air-conditioning system, honourable members are free to remove their ties if they so wish.

Mr BELL (MacDonnell): Mr Speaker, I thank you for the generosity of your ruling in that respect and I will endeavour to respond in an equally charitable fashion.

Mr Speaker, I want to make several comments in response to the Chief Minister's statement tabling the findings of the Muirhead Royal Commission. In commencing my comments, I would point out to the Chief Minister and to honourable members that my comments will not be exhaustive. The opposition will be seeking advice on Commissioner Muirhead's report from various sectors of the community. In addition to the police, these will include the Aboriginal legal aid services, the organisations involved with some of the sobering-up shelters and so on.

Clearly, the Chief Minister's response relied heavily on the views of police and I must admit that I find that rather surprising. Several government ministers have been involved in the matters which are covered by the report. The Minister for Health and Community Services was involved in meetings with the federal Minister for Aboriginal Affairs but it has been the Chief Minister, presumably as minister responsible for police, who has responded to the interim report of the Royal Commission. That is to some extent indicative of the dog's breakfast approach to Aboriginal affairs which characterises the CLP government in the Northern Territory. It is unable to adopt a resolute approach to an issue such as this.

Mr Setter: He is the most senior minister. Who is more appropriate?

Mr BELL: To respond to the idiot interjection from the member for Jingili that the Chief Minister was responding ...

Mr SETTER: A point of order, Mr Speaker! I found that comment quite offensive. I ask that you request the honourable member to withdraw it.

Mr SPEAKER: It is my understanding that the honourable member did not refer to the honourable member for Jingili as an idiot. He referred to his remark as an idiot remark. There is no point of order.

Mr BELL: Thank you, Mr Speaker. To pick up the idiot reaction from the member for Jingili, I point out that my understanding is that the Chief Minister was responding to the report as minister responsible for police. The member for Jingili had better do a bit more homework.

To turn to the comments made by the Chief Minister, there was a certain complacent tone about them which suggested that the Northern Territory government had done all within its powers to deal with the problem of Aboriginal deaths in custody. I do not seek to pillory the Northern Territory government but I must admit that I found the very complacent tone that not only characterised the minister's statement but has characterised public statements from the Minister for Health and Community Services, a little unctuous to say the least.

That sort of complacency is typified by the claim at page 2 of the minister's statement that the level of over-representation of Aboriginal imprisonment in the Northern Territory is among the lowest in the Commonwealth. I would point out to the Chief Minister and other honourable members that the fact that the Northern Territory has the lowest level of over-representation of Aborigines in custody is not something to be proud of. The plain fact of the matter is that the level of over-representation does not represent any sort of reality. The Chief Minister seemed to be saying that the low level of over-representation in the Northern Territory and Tasmania was a result of good conservative government.

I am well aware of the fact that the Chief Minister did not write his speech, but whoever did so would do well to bear in mind that the over-representation of Aborigines in prisons is a matter for serious concern in the Northern Territory and throughout Australia. To talk about levels of over-representation in comparison with percentages in the population is nonsensical because the Northern Territory has such a small percentage of the Australian population. To compare the percentage of Aborigines in jail in the Northern Territory with the figures from interstate does not represent any reality. That sort of complacent quoting of figures does not mean much. The fact is that Aborigines are over-represented in the jails of this country and

dividing up the figures into state categories does not assist the debate in any way whatsoever.

Mr Dale: You are missing the point entirely.

Mr BELL: I do not believe that I am missing the point. I had not intended to make a major issue of this and my only reason for commencing with it was that the Chief Minister dealt with it in the opening pages of his statement.

I have some bouquets for the government, albeit qualified bouquets. The Chief Minister referred to positive initiatives of the government. He referred to sobering-up shelters, and I will come back to that subject. By comparison with some of the states, in dealing with the problem of public drunkenness and the problems of alcohol abuse in the Aboriginal community, I believe the government has some runs on the board but it has a long way to go and it has a few promises to keep.

I noticed that the minister referred also to the availability of community service orders. On a number of occasions, the opposition has said that this is positive and that the government is to be congratulated for its approach to the development of community service orders. I suggest that this Assembly continue to monitor the operation of that particular system in bush communities. I do not know how well it actually works on the ground and how Aboriginal communities view it. However, the innovation of employing correctional services officers on Aboriginal communities to give their residents the same opportunity to serve sentences by way of community service orders as people in the larger towns of the Territory is a positive one.

I come now to what I thought was the most interesting point made by the Chief Minister. It had the ring of truth about it. He said that, in terms of correctional services in the Northern Territory, we are dealing with a predominantly Aboriginal prison population. He stated that prison routines and programs have been designed with special Aboriginal needs in mind and, as examples, he cited Beatrice Hill, Gunn Point and the mobile work camp programs. I am aware of Beatrice Hill and Gunn Point of course. At this stage, I am not aware of the mobile work camp programs, but I look forward to hearing more about them. Because Aborigines comprise 70% of the prison population in the Northern Territory, and I am sure that no state figure would be anywhere near that, it is nonsense to talk about levels of over-representation. However, I digress.

Because the number of Aboriginal prisoners forces us to take into account what the Chief Minister calls 'special Aboriginal needs', we are able to ensure that Aboriginal prisoners in the Northern Territory do not experience the same sense of alienation as applies elsewhere and I think that is important. I have seen evidence of that at the Darwin and Alice Springs Prisons and it demonstrates that the government policy of mainstreaming, which it maintains in other Aboriginal services, is nonsense. If the Chief Minister is prepared to praise his government for running a prison system which goes some way to meeting special Aboriginal needs, maybe the government ought to give some consideration to other areas such as employment and ...

Mr Perron: Health? They do pretty well there.

Mr Dale: Recreation? All those areas?

Mr BELL: It is happening in some areas but the Minister for Health and Community Services well knows that there are some absolute idiocies involved in the policy of mainstreaming services for Aborigines, and that they fly in the face of the terms of the Chief Minister's statement.

Mr Speaker, let me come back to the question of sobering-up shelters. I have been involved in this debate for some considerable time and I would draw the attention of honourable members to the fact that, in an adjournment debate in this House in 1982, I raised the subject of one of the deaths in custody in the Northern Territory which has subsequently been examined by the Muirhead Royal Commission. I raised it in the context of the need for what we were then calling rehabilitation centres. We subsequently made a distinction between rehabilitation centres and sobering-up shelters which would cater to the immediate crisis needs.

On 1 June 1982, I referred in this Assembly to the coronial inquest into the death of Mr Peter Price in police custody in Alice Springs. I said then that, tragic figure as he was, there were lessons to be learned from the event:

It points out very clearly the need for facilities that are more suitable for dealing with people of that sort. I believe that what is required is a separate detoxification centre where medical care is available for persons taken into protective custody. There should also be a rehabilitation facility for persons who have an acute alcohol problem where someone can ask them: 'Do you believe that you are in need of some care. Do you believe that something can be done about the problem?'

I commenced that speech by pointing out to honourable members that I had earlier asked the Minister for Health a question about rehabilitation facilities for alcoholics and I went on to say that I was very heartened to hear that it was a personal aim of the then minister, the present member for Barkly, to have such facilities set up in Alice Springs, Katherine, Tennant Creek and Darwin. I will refresh honourable members' memories by quoting from the reply from the then Minister for Health. I am afraid that the reborn leader of the Territory Nationals has a bit to answer for. He said:

I am very conscious of the fact that not only in Alice Springs but in Tennant Creek, Katherine and Nhulunbuy we have yet to establish satisfactory rehabilitation units. I might point out to the honourable member that the slowness in establishing these units is not the want of money or the lack of will but the wherewithal in terms of manpower and facilities to provide the sorts of services that we need.

That is an interesting statement in the light of history. The facilities in Katherine and Nhulunbuy were never opened. In the year before last, the Darwin facility was shut down. Excellent services have been provided in Alice Springs and Tennant Creek and, although it is some time since I had the opportunity to visit the facility in Tennant Creek, I believe that demand for the services of the Alice Springs facility has doubled and that it is now strapped for cash. That has occurred because of the Muirhead Royal Commission and the increasing zeal of members of the police force in transporting people taken into protective custody to the sobering-up shelter.

I draw the attention of honourable members to the report of the President of the Drug and Alcohol Services Association in Alice Springs, delivered at its AGM on 10 November. In that report, he stated:

There has been a dramatic increase in the number of clients for the sobering-up shelter, from 43% of protective custodies in 1987 to 60% since 1 July 1988. In real terms, this means an increase in the average daily occupancy of 10 to a present average of over 20 per night, a 100% increase in occupancies. The number of clients in the shelter has increased markedly from 536 for the July-September quarter 1987 to 964 for the same period in 1988. This is about an 80% increase and indicates an annual admission figure as high as 6100.

I am aware that the Commonwealth government has made some funds available because of initiatives flowing from the recommendations of the interim report of the Muirhead Royal Commission. However, that promise of the Northern Territory CLP government is 6 years old and has not been honoured. That is a matter of serious concern to me.

I would like to endorse the Chief Minister's comment that an inquiry into the reasons why Aborigines are so over-represented in the prison system would be a valuable exercise. That is important and it should be an initiative of this Assembly, particularly since Aborigines in the Northern Territory form such a high percentage of our prison population. In passing, I point out that the attitudes of Aboriginal people to imprisonment are not necessarily those of non-Aborigines in terms of shame and embarrassment. Shame and embarrassment are certainly a feature of Aboriginal relationships but they occur in different circumstances. I suppose it speaks volumes about the relationship of Aborigines to the majority of society that, as far as they are concerned, there appears to be less shame and embarrassment about imprisonment than occurs in sections of the majority of society.

Recommendation 2 is that legislation should be introduced to ensure that sentences of imprisonment are not automatically imposed in default of payment of fines. The Chief Minister commented that existing legislation already does this. I challenge that. A number of people are being arrested on warrants because they have defaulted on fines. Often, those people are jailed. The problem is that people often do not understand why they have been arrested. That comes down to communication, a subject I will come back to in respect of the relationship between police and the Aboriginal Legal Aid Service.

I have already commented on recommendation 4 and the development of sobering-up shelters. The Chief Minister's comments on this recommendation contained the self-congratulatory tone which I did not appreciate. Recommendation 4 related to the abolition of the offence of drunkenness, accompanied by adequately funded programs to establish and maintain facilities for the care and treatment of intoxicated persons. The Chief Minister had this to say: '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'. I would refer the Chief Minister to my previous comments about the sobering-up shelters in Darwin and Katherine and the 6-year-old promise, to which he was party, to establish those. Apparently, there was money for those facilities 6 years ago but not now.

There was a proposal for a national task force to examine the social and health problems created by alcohol and confronted by Aborigines in many localities. The Chief Minister was somewhat dismissive of that proposal. It seems that the approach of the government to liquor policy needs a little consideration. Whether a national task force is the appropriate manner to do it or whether we can do that within our own resources in the Territory, I do not know. The government's attitude that the Racing, Gaming and Liquor

Commission is a revenue-raising body has been the cause of considerable criticism. I believe that the commission should adopt a more positive, health-oriented approach. That is something which this government could take on board. There are all sorts of issues including the number of takeaway licences, the impact of takeaway licences and the possibility of social clubs being set up by Tangentyere Council. I do not propose to comment on the Curtin Springs takeaway licence that has been the subject of Supreme Court hearings as well as a hearing before the commission. These are essentially health issues and should be regarded in that light.

Let me now turn to the role of the Aboriginal Legal Aid Service. The Chief Minister's statement contained an interesting piece of sidestepping on this subject. In recommendation 11, Justice Muirhead stated: 'Where practicable, the Aboriginal legal service should be notified in all instances of the detention of any Aboriginal person in custody. Where it is not possible to contact an officer of that service, such notification should be given to a person designated by the local Aboriginal community to receive such advice'. The Chief Minister sidestepped that recommendation. Whilst it states the police should notify Aboriginal legal services, he stated that the legal services must approach the police. I do not believe that such an approach is in accord with the spirit of the recommendation.

Recommendation 11 ties in with recommendation 20 which indicates that an Aboriginal detainee should be assisted to communicate with the Aboriginal legal aid service involved. Aborigines around the Territory have had experience of legal representation for 15 years since the Aboriginal legal aid services were set up by the Whitlam government in 1973. However, there is still a degree of apprehension about being in custody and having the self-confidence to ask to see a lawyer. I think you have to be a fairly secure whitefellow to be able to do that with confidence.

In relation to recommendations about police aides, I think the response of the Chief Minister was essentially reasonable. I am aware that there has been a genuine and constructive effort by the police force to develop the police aide system and to get Aboriginal people into the police force. The member for Arnhem will discuss some other issues in this regard, particularly with respect to his electorate, and will more generally discuss the question of Aboriginal deaths in custody and the relationship between Aboriginal people and the prison system.

In closing, I want to stress that my comments on the recommendations are not exhaustive. I would like to obtain some advice from areas of the Territory community about some aspects of the recommendations and the adequacy of the government's response. The government's response has been adequate in some respects but, with respect to sobering-up shelters in particular, more movement is long overdue. I trust that the Chief Minister has listened attentively to the perceptive comments which I have made in response to his statement and will take my mixture of bouquets and brickbats in the constructive spirit in which it is offered.

Mr DALE (Health and Community Services): Mr Speaker, I listened with a great deal of attention to the shadow spokesman on health and community services and self-appointed spokesman on Aboriginal matters in this Assembly. Once again, he has shown an incredible ignorance of what is actually occurring in relation to Aboriginal affairs, not only in the Northern Territory but throughout Australia. He delivered his throwaway line criticising the Northern Territory government's policy of mainstreaming in relation to Aboriginal affairs. He then went on to illustrate clearly that our approach

to the administration of Aboriginal affairs in the Northern Territory is working extremely well.

The one obvious fact which has been clearly illustrated by this whole issue, culminating in the Muirhead Inquiry, is that the federal government's administration of Aboriginal affairs is an absolute shambles. The Minister for Aboriginal Affairs is under siege not only from the opposition but from his colleagues. Quite frankly, all Territorians ought to be gravely concerned that the attitude emanating from Canberra in respect of Aboriginal affairs is nothing more than political face-saving and does not address itself to the concerns of Aboriginal people. I will expand on that a little later.

About 2 years ago, I went to a conference in Melbourne, convened as a result of a sequence of deaths of Aboriginal people in custody throughout Australia. A summit of all relevant ministers was called so that we could discuss how we might go about investigating why so many Aboriginal people were dying in custody. What happened last week was a complete departure from that logical approach and illustrated clearly to me that the federal government's approach to the implementation of the recommendations of the Muirhead Inquiry is nothing more than a face-saving exercise for the Minister for Aboriginal Affairs while his colleagues sit by waiting for the opportunity to knife him in the back.

The member for MacDonnell criticised that part of the Chief Minister's statement which made a statistical comparison of the Aboriginal population in Northern Territory prisons with that in prisons interstate. It is true to say that the Northern Territory has a high proportion of the Aboriginal community of Australia. Nonetheless, despite the fact that 70% of prison inmates in the Northern Territory are Aboriginal, the number of Aborigines living in the Territory is such that the proportion of that population in prison is very low when we compare it with the proportion in each of the states. That fact must be illustrated and acknowledged in criticising or praising the Northern Territory government for the policies it has adopted in its endeavours to keep Aboriginal people - and other people for that matter - out of the prison system. That is an explanation of the statistic which the member for MacDonnell skirts around rather cutely.

Another fact that must be acknowledged in passing is that, through its policies, the Northern Territory government has been able during the last 2 years to decrease the population of our prison system by some 20%. When it is recalled that the majority of those people are Aboriginal, it is obvious that we are taking Aboriginal people out of the risk situation. When we went to that summit conference some 2 years ago and talked about holding the Royal Commission into Aboriginal Deaths in Custody, at the time I expressed some concern about the fact that it would be perceived in the public mind, particularly in the minds of the families of the deceased, as a review of previous coronial inquiries. I know that, in his report, Justice Muirhead says that people ought not take that attitude and ought not criticise the Royal Commission on that basis. I agree with him. Nonetheless, that is the perception and that has been illustrated quite clearly recently as people have called on state governments and the federal government to take certain actions against members of either corrective services or the police in relation to Justice Muirhead's findings on previously-held coronial inquiries. Unfortunately, my concerns have been vindicated.

I have said on many occasions that, if you do not get into a cell, you cannot die in a cell. I am firmly convinced that the issue which we should be looking at, from a federal perspective, is why so many Aboriginal people

throughout Australia are getting into the prison system at all, and I still stick by that. Mr Speaker, let me mention the conference I went to in Canberra last week. It was an Aboriginal Affairs Ministers Conference and I must admit that, when the it was first called, I thought it would present the opportunity for us to react quickly to the Muirhead Inquiry and its interim recommendations by implementing necessary schemes that were not already in place throughout Australia. One federal minister notified me that he wanted to hold a meeting and then a Senator rang to say that he would like to hold a meeting on the same subject. It became quite farcical for a couple of weeks because one did not know to whom one was responding. I kept saying: 'Yes, I will certainly be down there. We want to get on with the job in this area'. However, the politics which are currently being played in Canberra in relation to this issue and in relation to Aboriginal people are really disgraceful.

The first meeting was called by Hon Gerry Hand, the federal Minister for Aboriginal Affairs. We sent our officers to Canberra during the week preceding the ministerial council. In the main, the only officers available in Canberra to discuss the issues were officers of the Department of Aboriginal Affairs. We sent down the Assistant Commissioner of Police, the Director of Correctional Services and a representative from the Chief Minister's Office who is an adviser on Aboriginal affairs. We were there, ready and willing to address the entire range of issues arising from the recommendations of the Muirhead Inquiry. Alas, the federal government was not ready to do that. It simply had Mr Hand who, in my opinion, was ready only to address a few issues that would appease the Aboriginal people of Australia.

I received from the officers the various recommendations that were to be addressed by the meeting. There were some 15 recommendations which related to the 52 recommendations of the Muirhead Inquiry. Clearly, it was only a patchwork job in so far as addressing the issues was concerned and was nowhere near good enough in terms of taking on board all of the Muirhead recommendations. It was to be a 2-day conference and I was alarmed because I suspected that we would not achieve much. I made that feeling known to people in Canberra.

The night before the meeting, we received an urgent message from Mr Hand stating that he wanted to see us in his office before the meeting commenced. I went in with the other ministers and Mr Hand told us that he would like the discussions to go on for a couple of days because he believed the issues ought to be aired. He also said that he had a little bag of money which Cabinet had given to him although he could not disclose at that stage how much was available or how it would be distributed among the states. He then said: 'Come on, let's get down to the meeting. We have to do the formal part of it'. So, off we went.

I have a copy of the recommendations that we were addressing. I have referred to that meeting as an exercise in semantics. One minister would say: 'Oh, I do not like that word. I want the "i" dotted and the "t" crossed'. So it went on. By about midday, I was becoming concerned that my time was simply being wasted. I had gone to Canberra to get things done but all that seemed to be occurring was a talkfest in which people exercised their tongues and, in the main, decided on recommendations which would be sent to other ministers to implement. In my view, it was a nonsensical exercise and I expressed that view to the meeting several times during the day. I wanted to know how much money was available and what guidelines existed for its expenditure. How were those funds to be administered in a few weeks' time, particularly given that the federal ALP government is about to push the ATSIC legislation through parliament. Rather ironically, the conservative

ministers, who have the responsibility for the majority of the Aboriginal people in Australia, all voiced concern on the same issue. This was on the first day. However, the Chairman, Hon Gerry Hand, would not have a bar of it. He did not want to talk about those matters. He wanted us to go through all the various recommendations and dot a few more i's and cross a few more t's.

We sat until about 6.30 that night and, at the end of the day, Hon Gerry Hand once again said: 'I want to see you in the office, boys'. In we went and he said: 'This is the deal. We have \$5m. I have convinced Cabinet that we will spend this \$5m on programs relating to Aboriginal people and substance abuse'. I said: 'Beauty, how will we distribute it?' The minister from New South Wales suggested that it should be distributed on the basis of Aboriginal population relative to the rest of the population in a particular state, and that was agreed on. Minister Hand said: 'Righto, you have until 9 tomorrow morning to come up with the programs and projects on which your bids will be based'. We had to work that out overnight and he wanted to see us in his office again the next morning.

We went through that exercise and attended at his office the next morning to make our bids. He said: 'Righto, let's go back to the meeting'. Back we went. The minister from New South Wales asked how the funds were to be administered on an ongoing basis. Remembering that the \$5m was for the remainder of this financial year and to continue into the next financial year, he asked how the money would be administered and how the policies related to these issues would be handled in the future. Would they be handled by Senator Tate? Were they to be administered by ATSIC? How would it all work? To my amazement, nobody wanted to address those issues. They simply did not want to address them.

The issue of ATSIC then became quite prominent and, to his credit, Hon Gerry Hand said: 'If you want to talk about ATSIC, I will sit here now and talk as long as you like or I will meet you tomorrow or in a couple of weeks time or whenever you like. I am available'. But the rest of the ALP ministers, particularly Hon Tom Roper from Victoria, who has responsibility for 5% of the Aboriginal community in Australia, did not want a bar of it. He said: 'I have a lot of business in Victoria to attend to and I cannot be wasting my time'. Mr Speaker, listen to this, he went on to say: 'I have come all this way to this conference to discuss the issues on the agenda and nothing else'. He did not want to talk about the future, where we are going with Aboriginal affairs in Australia and how Aboriginal affairs in Australia should be administered. He wanted to nick off down to Melbourne and play with his trams, some 30 minutes away from Canberra. That was his approach, yet we in the Northern Territory have to take 3 days out of our lives to travel to Canberra to discuss what I believe are the most important issues confronting the Aboriginal people in Australia today.

I moved formally that a further meeting of the AAMC be convened specifically to talk about ATSIC and its ramifications if it is introduced into parliament over the next few weeks. I am pleased to say that that was agreed to. The meeting will be held soon after the Senate select committee investigating the issue brings down its report on 28 February.

The Northern Territory government was successful in obtaining an amount of some \$800 000 in the negotiations held over a total period of about 50 minutes in the federal minister's office. The other 1½ days of the conference were a complete waste of time. It was no more than a political exercise to try to save the federal government some embarrassment in terms of how it is addressing the issues. In fact, we have now to go off to several other

ministerial councils in a couple of months' time, in Hobart or Burnie or somewhere, to address the Muirhead recommendations as they affect the ministers for health, police, correctional services, justice and whatever, when all that could have been done in Canberra a week ago and all the issues fully addressed by now.

I regret that the federal government has very little interest in the matter. It is proving that on a day-to-day basis. It was certainly illustrated to me when Hon Tom Roper stormed out of the meeting because he did not want to talk about ATSIC and we did. An Australian Labor Party minister was not interested in talking at an Aboriginal Affairs Ministers' Conference about the future administration of Aboriginal affairs in Australia. That was a clear illustration to me of the real attitude of the Australian Labor Party to the administration of Aboriginal affairs in Australia. It is something that I hope will slowly start to sink into the minds of Aboriginal people throughout Australia.

The Northern Territory Aboriginal Legal Aid Service was mentioned by the honourable member opposite. He said that its officers should be used more often than they are. It is my understanding that you have to be fortunate indeed to find a member of the service after 4 pm in the afternoon. I also believe that, if those officers wish to interview a person at a time which is convenient to them, rather than recommending that a person be bailed, they recommend that he be remanded in custody. That is done simply for the convenience of the officer who, in so doing, plays no part whatsoever in trying to keep people out of the prison system.

The closing down of the sobering-up shelter in Darwin was the result of logistical problems plus the fact that I had to cut \$5m from my department's budget as a result of cuts by the federal government some 2 years ago. It was costing us more to keep a person in the sobering-up shelter in Darwin for 4 hours than it would cost a person to stay the night at the Sheraton Hotel. That is a fact of life. It was not being used enough because of the logistical problems and, on that basis, it was closed down. It will be relocated to what we hope will be a far more convenient location for the police who have to pick up people affected by alcohol and taxi them around. We believe that more people will be using the facilities and the economies of scale will come into effect.

Mr LANHUPUY (Arnhem): Mr Speaker, before I make any comments in relation to the statement made the Chief Minister this morning, I would like to defend the services of the North Australian Aboriginal Legal Aid Service. The honourable minister would be aware that it has had a difficult task in the 5 years since its establishment. There has been an inquiry into its operation. Because it is an Aboriginal organisation, one expects ministers opposite to make the sorts of comments which have just been made. Funds allocated to a service like that are of benefit to people in the Northern Territory, regardless of their colour, and I will not be alone in jumping down the throats of ministers who make unfounded criticisms. The staff of that service work very hard with limited resources, frequently working long hours during the night and over the weekend.

Mr Speaker, in speaking to the statement made by the Chief Minister, I do not intend to go through the 56 recommendations of the Muirhead Inquiry. I would like simply to refer to a few recommendations that are of most concern to me. In the last year or so, a study was made of a community on Groote Eylandt. The Institute of Criminology in Sydney said that that community has the highest imprisonment rate anywhere in Australia. I would like to

concentrate on that. The Aboriginal people on Groote Eylandt, long before the arrival of BHP or the Church Missionary Society, had a society without the conflicting interests that exist now. People in various government departments - the police, the Department of Law, Correctional Services and so on - need to take that into account.

It was pleasing to note that the Chief Minister indicated that the NT government was in the process of implementing legislation and developing a policy which will assist in reducing the high rate of imprisonment of Aboriginal people and the deaths in custody. I personally have not been involved with deaths in custody and none of my close relations has any connection with the investigations of the commission. However, I have known people in my electorate who have undergone very emotional experiences. If the attitude of the Minister for Health and Community Services is as he has displayed this afternoon, my people certainly will be worried.

The Aboriginal people in the Northern Territory are here to stay. We do not have investment opportunities overseas. We are not going to run away. That is why there is a high imprisonment rate in Groote Eylandt. Some of those people have nowhere else to go and, therefore, they are easily apprehended. The government says that it has policies in place to implement programs that may be used effectively in areas where Aboriginal people live - for example, policies concerning education, training, employment etc. We hear that very often. When will we start seeing the people opposite put into practice the things they have been preaching? That is of concern to me. Some departments have placed the matter in the too-hard basket. I commend the Minister for Health and Community Services who, during the period when I was the opposition spokesman on health and community services, took the time to sit down with members of the Groote Eylandt Aboriginal Task Force.

If the minister is serious in terms of looking at the recommendations of the Muirhead Royal Commission, whether on a federal or a state level, I would urge him to set up a Northern Territory task force consisting of members of organisations which may have an interest in the issues. There are many people who could take part in discussions, including people in Aboriginal communities, legal people, the police, people involved with ethnic affairs and so on. I am sure that the minister would find such a task force very helpful to himself and, if I may say so, more helpful than the ministers' conference which he attended in Canberra. It would be more relevant to the area for which he is responsible and I am sure that, if the minister was prepared to set up such a task force, my colleagues on this side of the House would support him and make suggestions about people who could possibly be members. The minister is aware that the Groote Eylandt Aboriginal Task Force worked very well and produced some very interesting recommendations which I believe the Northern Territory government will be implementing quite soon.

The former Chief Minister, the member for Nightcliff, stood up in this House and welcomed the announcement of the Royal Commission into Aboriginal Deaths in Custody. That occurred in 1988, a very worrying year for Aboriginal people throughout Australia. There was conflict about whether it was appropriate to celebrate the 200 years of white settlement and some people did not want to be involved in that at all. The announcement of the Royal Commission was a way of informing the Aboriginal community that the government was serious about the problem and wanted to help solve it. The commission has produced some strong recommendations and I am happy to support the Minister for Health and Community Services in implementing them.

In conclusion, I will say that, if the Minister for Health and Community Services believes that he can do a better job in relation to Aboriginal affairs than any other minister in Australia, he had better seek the views of the people who are involved on the ground. I would certainly recommend to him that he set up a task force comprised of people who have a legitimate interest in the issues.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, the Chief Minister's statement was very positive and, to my mind, showed that most of the issues identified by Mr Justice Muirhead as matters of concern throughout Australia, are already being dealt with in the Northern Territory. They are being dealt with in a way which makes me feel that, in the Territory, there is a very positive attitude to the very serious matter of our Aboriginal prison population. Nobody would deny that Aboriginal people are over-represented in prisons in the Northern Territory although, as the Chief Minister and the Minister for Health and Community Services pointed out, the over-representation is lower here than elsewhere in Australia. However, it is still too high and is unacceptable to myself and, I think, to the majority of people.

I am truly convinced, and have been for a long time, that the quality of life for Aboriginal people in the Northern Territory is not surpassed in this country. That is due to land rights which have brought about a vast improvement in the quality of life of Aboriginal people here. It is also due to our community government scheme which has put control of community issues and community decisions in the hands of local communities, thereby improving the quality of life of Aboriginal people. Such factors have greatly improved the quality of life of Northern Territory Aborigines and placed the Territory in the forefront of Australia in this regard. The protection of sites of significance in the Northern Territory is another factor that has provided for a better standard of living and a greater certainty that the Aboriginal culture and lifestyle will be maintained than exists anywhere else in this country.

I was surprised to hear the member for MacDonnell sounding off about the mainstreaming of policies in Aboriginal areas generally whilst, as he argued, not mainstreaming policies in relation to Aboriginal imprisonment. A whole range of services are provided to Aborigines in the Northern Territory and many of these are unique to the Aboriginal community. Employment is one such area which comes under my own portfolio. I will be making a statement to the Assembly during these sittings about our Aboriginal employment policies and strategies which have been highly commended by the federal government because they are very supportive of the federal policy in this regard. We will be announcing a large number of employment strategies for remote communities in the next week or so.

We have a health worker program which is second to none in the country. In fact, it is unique in the country. It is a fully-structured service and is another factor in the improvements in the quality of life of Aboriginal people and it is one of the reasons why our prison population is not larger.

The special educational services for Aboriginal people are also unique in this country. Batchelor College is a unique college. It provides for teacher education, community management training and, in time, will service a range of other needs for Aboriginal people in order to improve their quality of life. The Police Aide Scheme has been in existence for some time and the police attitude in this regard has been excellent.

I was a little mystified that the member for MacDonnell appeared to be critical of the police because they were the source of information for the Chief Minister's comments on the recommendations of Justice Muirhead's interim report. I would have thought that the police would be regarded as being ideally qualified to answer what is really a criticism of the existing situation in police forces around the country. The Chief Minister was able to answer every recommendation in a very positive way. Either the action recommended by Justice Muirhead was already occurring in the Northern Territory or was under investigation and was likely to happen. There was no significant indication that any of the policies of the Northern Territory were opposed to the views of Mr Justice Muirhead or to the views of most of the people of Australia, who are very supportive of moves to ensure that people do not die in custody. Nobody is happy about the number of Aboriginal people who have died in custody for various reasons. It would be unrealistic, however, to assume that the police were not to be trusted to answer those recommendations or to provide information on what is occurring here. In fact, the police are the logical people to answer those queries.

I have talked about the special programs which we are providing to Aboriginal people. Although these programs are not mainstreamed, they are part of the mainstream system, and that is the way it should be. When we talk about essential services for Aboriginal people being mainstreamed, we are speaking of something quite different from these special services which are provided in respect of health, education, correctional services, employment and so forth. They are things that we must do. We do them as a government because we believe in them. Both the government and our party are fully supportive of the moves which have been made. In fact, Mr Speaker, if you wish to look at our policy and platform, you will find that that is quite evident.

Although the report, which I have read, does not necessarily provide the evidence to prove it, it is my belief that the majority of Aboriginal people who die in custody are not from that part of the Aboriginal population which continues to follow a traditional Aboriginal lifestyle. In many parts of Australia, there is reason for Aboriginal people to feel that they are left on the outside of society because, in many parts of Australia, that really is the case. As a consequence, they often have the view that they do not have a worthwhile future. I have seen people living under those conditions and I believe that, in many cases, people in custody who take their own lives or die as a consequence of alcohol abuse have reached the point at which they no longer see life as being worth living. That is something we should be ashamed of, not only in respect of Aboriginal people, but in respect of people from any culture or walk of life who find themselves in that situation. That situation is happening around us and we seem powerless to stop the trend. However, we are not unique in that regard. It is quite common throughout the world, although that certainly does not make it any better.

I believe that the problem of the use of alcohol in traditional Aboriginal communities results largely from boredom and the higher standards people are coming to expect. More young people are studying and many are undertaking high school studies away from their communities. When they return to their communities, however, they come back to nothing. As the member for Arnhem stated, they are isolated on islands in some cases. They are isolated because of the high cost of getting out of those communities. They are driven to the abuse of alcohol. Employment opportunities are scarce and will continue to be scarce in those communities. There is a feeling that there is really nothing better to do than to go to prison. I am not convinced that many Aboriginal people do not find prisons preferable to their existing circumstances.

Perhaps it could be said that that is an indictment of the government. I do not believe it is an indictment of the government at all. In fact, the services provided to Aboriginal communities are excellent in most cases. The problem is that they really lead to nothing. Money and facilities are not necessarily the answer in those communities. The solution requires a commitment by Aboriginal people to attempt to improve their lot and seek other forms of occupation. They have lost much of their historical way of life, including the desire to hunt. The member for Arafura would well remember that there was a time when the majority of people in his community went out every weekend to hunt. The majority of people went out for a fairly long holiday every dry season and the community was much happier for it. Today, when the only hunting that needs to be done is in the supermarket, there is really nothing to occupy the time and efforts of people in those communities.

The commitment to change those circumstances cannot be brought about in this parliament. It cannot be brought about by people outside those communities. It must be brought about by a community's own commitment to improve its quality of life. It will be difficult to find reasonable employment for people in those communities. It will be difficult to keep people occupied with recreational activities unless they have a commitment. It is as much a matter for a personal commitment by Aboriginal people in those communities as it is for the government.

I am heartened by contents of the Chief Minister's statement. I am heartened by the fact that the opposition has not been able to indicate that there is anything wrong with it. It is a positive statement which shows that the Northern Territory is in the forefront of Aboriginal affairs, a fact which is never denied by Commonwealth officers in any area of Aboriginal development in the Northern Territory. Commonwealth officers will attest to that readily. We have looked at the problems and we have positive policies to overcome them.

We are ahead of Mr Justice Muirhead because most of what he has recommended is already in place in the Northern Territory. While we still have and will probably continue to have the occasional death in custody, we have the lowest number of such occurrences even though we have a very significant number of Aboriginal people in our prisons. That has been recognised by Mr Justice Muirhead in his report. Of course, that is still not good enough. All people of the Northern Territory need to work much more closely with Aboriginal people to come to grips with the very real problems which they face through isolation, lack of employment and lack of recreational facilities. As a result of our joint endeavours, I am certain that we can ensure that we never again face the horror of an Aboriginal death in custody. I support the statement.

Mr EDE (Stuart): Mr Speaker, in commenting on the Chief Minister's statement, it is important to be realistic about the frequently-quoted imprisonment figures. We should remember that public drunkenness is not a crime in the Northern Territory which means that the numbers of people taken into protective custody are not included in the figures for imprisonment. To that extent, we are statistically understating the numbers who pass through the system. That does not mean that I am not fully supportive of the protective custody system. I am a great believer in it. We should remember, however, that the figures are distorted and that the 'at risk' group is substantially higher than they would seem to indicate. I was pleased yesterday to read an announcement that Western Australia has decided to remove the crime of public drunkenness. That leaves Queensland as the only state in which public drunkenness remains a crime. That is an excellent move by the new Dowding government in Western Australia.

Protective custody itself has resulted in a number of deaths in the Northern Territory and elsewhere. Part of the problem is that people taken into protective custody are placed in cells. I think police everywhere will agree that, the sooner we have community-based sobering-up facilities, the fewer hassles they will face in getting on with their real job.

We need to look at the issues more closely in terms of why deaths in custody occur. I believe that people's sense of power is at the heart of the matter. The power relates to the individual's relationship with society and how that leads him to feel if he ends up in the hands of the police or in a prison. It is a personal feeling of being in control of oneself and of being able to have some effect on one's environment and it is probably a far more important factor across the entire phenomenon of deaths in custody than the fact of Aboriginality per se.

The fact is that a large proportion of Aboriginal people throughout Australia fall in that group which is substantially powerless. That has come after a long period in which Aboriginal people were basically powerful. Traditionally, they had control over their environment, over their own lives and their relationship to their environment. The loss of Aboriginal power was caused by institutionalisation and paternalism which extended so far that people's very existence seemed to depend on the whims of various officials. That occurred not only in settlements in the welfare days but on pastoral properties where people existed on rations. People's belief in themselves and the possibility of a worthwhile existence outside the system was crushed. We now have a situation in which people who feel completely powerless and who have no sense of self-worth are being confronted with an awful reality inside prison cells and, feeling that they are at absolute rock bottom and have nowhere to go, are triggered into actions which sometimes result in their own deaths.

Despite the distortion in the figures produced by the exclusion of protective custody, it is probably true that the Northern Territory is at least at the better end of the spectrum in terms of deaths in custody as a proportion of the number of people in custody and the degree of over-representation of Aboriginal people in prisons. I believe that we should be asking why that is the case. In my opinion, it comes back to that essential ingredient of power. Because Aboriginal people make up some 25% to 30% of the population in the Northern Territory, they have been able to exercise a degree of power. They have electoral power and they have members in this parliament. Their votes determine what happens in a significant number of seats. They cannot be overridden or ignored and this power is translated, in the case of individuals, into a perception of an ability to control and to affect their society.

Control of resources is a major factor. Earlier today, I was involved in a conversation about the fact that the vast majority of the disease-free herd in the Northern Territory is in the hands of Aboriginal people. There is people power in relation to that resource. Land rights is another source of power for Aborigines in the Northern Territory because it involves control over one's environment, control over land and control over resources. It means that Aboriginal people in the Northern Territory cannot simply be avoided. They cannot be ignored. They have to be negotiated with as part of the strategy for development. If the whole of the Northern Territory is to develop, Aboriginal people have to be involved.

Another major factor, because numbers and laws by themselves are not enough, is people and organisations which can utilise those numbers and laws

to develop power. Aboriginal organisations in the Northern Territory are probably better organised and have a substantially broader support base among their client groups and membership than similar organisations elsewhere in Australia.

Those are some of the factors which have resulted in the Northern Territory having a better record than the states. Let us not stop there. Let us take those factors and see how we can build on them and move ahead. The Muirhead recommendations, as such, are excellent and I support them. I believe that they should apply, where possible, not only to Aboriginal people but to people of all races who find themselves in prisons. We must widen the net. We have to empower the poor and the oppressed in our society and we must have policies which allow people to have a sense of self-worth because, as long as that sense is lacking, we will have people, black or white, dying in custody. We must use the Muirhead recommendations as a basis for looking at the broader society. When we do that, we will reduce the imprisonment rate, which is the precursor to deaths in custody, and be in a position to move forward in changing our society for the better.

I want to spend a little longer analysing the feeling of powerlessness to which I have referred. That feeling is what makes people believe that they can have no effect on the outside world. They lack the energy to assist or involve themselves with other people. It is only when people have sufficient security and a strong enough sense of their ability to survive for the next week, that they can start to look to others, to look at members of their own families and say: 'I can have some effect on those people'. In other words, as people's 'security circles' begin to widen, they become more open towards other people whom they can affect and assist.

It is no good pretending that a group of totally powerless people can look after their families properly or have any effect on the community or that they will be able to make long-term decisions. As I have said time and again, a starving person puts no value on next week's bread. Next week's bread is not worth anything to him. The only thing which has any value when you are starving and powerless is what you can get right here and now. That is the explanation for those situations which some people laugh about, in which people do things such as paying \$180 for a taxi fare from Alice Springs to Yuendumu to collect a welfare cheque worth \$200. That may seem ridiculous but \$20 is important when one is starving. Although such a decision is not rational economically, people make decisions like that when they have no sense of control and no feeling of power in themselves or their ability to organise things.

If we are genuine in wanting people to have a greater sense of self-worth and to extend it so that it has an impact on their families and communities, we must look at what is necessary to achieve that. The first essential ingredient is a sense of place and the security which goes with that. Land rights provide that essential ingredient. People know that they cannot be moved from their land, and that is one of the essential components in keeping our level of deaths in custody within the realms of rationality.

Given a sense of place, the next essential ingredient is an ability to survive better in that place, which brings me to the topics of water, shelter and communications. Water is necessary for basic survival, shelter for protection and communications for a link with the outside world in terms of other requirements such as health services and so forth. For the vast majority of Territorians, these essential ingredients are a reality or close to becoming reality.

The next ingredient, however, is not a reality for something like 80% of Aboriginal people living on communities - jobs. Once people have security of place and the ability to live and survive, their minds expand to take on such considerations as the general welfare of their families and communities. They perceive the situation in which they are living and they want to do something about it. That is when the demand is created for jobs. That demand is put to me constantly as I move around my electorate. I hear it from people who, only 4 years ago, were battling to survive. Their demand at that time was for security over their land. They sought excisions. Following that, there was a demand for water and shelter. Now, they are asking for jobs.

That is the real need which we now have to address. This government must address it as we move forward from the problem of deaths in custody. As the honourable minister said, deaths in custody do not occur if people are not in custody. The vast majority of people are in custody because of poverty-related offences.

Mr Perron: How about alcohol?

Mr EDE: Alcohol is a poverty-related offence.

Mr Perron: Alcohol is a poverty-related disease?

Mr EDE: Yes.

Mr Lanhupuy: To some people.

Mr EDE: You will find that, of the people who come before the courts for poverty-related offences, 99% come from society's poorest and least powerful ranks.

These are the matters that we should be addressing now. It may be that some of the ways in which we address them will not fit with traditional free market concepts. For example, if we can work out that the total cost of unemployment in a community comes to a certain amount, the marginal amount of money spent to create employment in that place may be very worth while even if it appears to be government assistance. It may be that projects such as CDEP, the Community Development Employment Program, which has had real teething problems, may need to be persisted with because the money from that source may provide a subsidy which will overcome the problems associated with creating industries in those communities and will allow people to obtain employment and avoid the problems which exist, not simply in terms of deaths in custody, but in terms of sickness and poverty-related disease.

That cannot be done for all communities overnight, but it is something that we have to negotiate with people on a community-by-community basis. As the demand for jobs develops, the government has to change its processes and start looking at how it will handle that demand and satisfy it.

My colleague proposed the formation of a Northern Territory task force to examine the Muirhead recommendations and move on from there. I believe that that is an excellent proposal which might well produce the sort of results which I have mentioned today. I hope that the government would ensure that such a task force would be able to work in a very broad context to ensure that the issues raised by the Muirhead Inquiry are taken up. The Royal Commission should not be the end of the matter but should provide a basis for ongoing action and development. A Northern Territory task force is probably the best way of providing the necessary focus.

Mr HATTON (Nightcliff): Mr Speaker, I would like to make a few brief points. As I am likely to say some things which could easily be misinterpreted, I want to make my fundamental position very clear. There is no doubt that the tragedy of people dying in custody is a matter of concern to the community, as it should be. It is quite a traumatic circumstance and one which deserves the sort of attention which the Royal Commission is devoting to it. That applies right across the board, and I am not in any way underestimating the tragedy and the trauma caused to families of people dying in custody under whatever circumstances. I do not want my remarks to be seen as trivialising that situation in any way. Nonetheless, I think that it is important to make a couple of fundamental points.

My first point relates to one of the most predictable findings which has emerged from the Muirhead Inquiry: that the proportion of Aboriginal people who are in custody and who die in custody is equal to slightly less than the proportion of non-Aboriginal people who are in custody and who die in custody. In other words, this is not a peculiarly Aboriginal problem. It is essential to make that point. The whole inquiry might have been rather less emotive had it been directed towards the issue of deaths in custody generally rather than Aboriginal deaths in custody. I think it is just as traumatic for a non-Aboriginal family to have their son, brother, father, uncle or grandfather die in custody as it is for an Aboriginal family. It is a tragedy that that fundamental issue has been ignored totally, certainly in the media coverage of the matter.

The issue is not that Aboriginal people are dying in custody but that people are dying in custody and, as has been alluded to on a number of occasions, the real problem is the proportion of Aboriginal people in custody. Unfortunately, that is not the issue which the inquiry addressed even though it is the key in terms of any genuine inquiry into the number of Aboriginal people dying in custody. Quite frankly, considerable time and effort could have been saved by an analysis of statistics before going public and setting up an inquiry. If that had occurred, the terms of reference could have been framed so that the real issues would be addressed prior to the expenditure of thousands of millions of dollars on this investigation.

As the Chief Minister mentioned in his statement, some 70% of the recommendations that flow from the interim report of the Royal Commission apply universally. It therefore has value in the context of deaths in custody generally. It also addresses some of the practices and procedures which should apply, not only in custodial circumstances, but in a whole range of other areas of interaction with Aboriginal people in Australia. It is important to draw those distinctions and to address them in debate.

I would like to draw attention to the comments made by the member for Stuart this afternoon. He noted that there is less over-representation of Aboriginal people in the prison population in the Northern Territory than in most other places in Australia. That is not saying that we are culpable in that we are putting people into custody who should not be in custody but rather that more people are getting themselves into situations which result in their being taken into custody, and that applies less in the Northern Territory than elsewhere. We are not picking people off the streets and throwing them into prison in some South African orgy. People's life circumstances are causing them to commit crimes which result in their being taken into custody. Unfortunately, the member for Stuart's analysis breaks down when he asks where we go from there.

There is no doubt that many of the policies and practices adopted by the Northern Territory government are leading to fewer people being held in custody than would apply elsewhere in Australia. Many of the procedures recommended in the interim report of Mr Justice Muirhead are already in place in the Northern Territory and there are clear indications that we are well ahead in that regard. Part of the reason for that is that we in the Northern Territory are far more conscious of issues which specifically relate to Aboriginal people because they comprise a large proportion of our population. In many other parts of Australia, Aboriginal people are out of sight and out of mind in terms of government and the broad community. Certainly, that does not apply in the Northern Territory.

I find it sad that the member for Stuart did not take the obvious step of congratulating the government for being so advanced in respect of Aboriginal affairs. It is quite sad that the member for Stuart finds himself incapable of giving plaudits to the government. Perhaps he fears that somebody will tell his electorate that he actually complimented the Northern Territory government for something. We are used to that and I will not dwell on that point too long.

The honourable member commented on land rights and what he believes are their consequences. It is an interesting theoretical debate but his argument falls flat because the area that is better than the Northern Territory in the over-representation stakes is Tasmania.

Mr Ede: It is a matter of identity there, Steve.

Mr HATTON: The worst places quoted were South Australia and Western Australia. South Australia does have land rights for Aboriginal people and Western Australia ...

Mr Ede: Does not.

Mr HATTON: Ask the Pitjantjatjara people in South Australia.

Mr Ede: I said Western Australia has not.

Mr HATTON: Western Australia has a form of land rights. It is trying to pretend that it is not land rights by using different titles. The ALP is frightened of losing the Perth vote.

The reality is that South Australia, which has a land rights policy in practice, is not getting the benefits which the member for Stuart attributes to land rights. Those benefits, in fact, are more a result of government policy, the general approach of the community and the standing of people in the community than of land rights. I am not saying that land rights are inconsequential, but they are not a driving force in this argument.

I wish to comment on a matter raised by the member for MacDonnell. Quite frankly, I am becoming sick and tired of what I regard as an illogical, unjustifiable and unsubstantiated argument in respect of Aboriginal people and liquor. I do not believe the argument in respect of the availability of takeaway outlets. If there was only one takeaway outlet in Alice Springs and it was open for one hour per day, the people who wanted grog would be charging in there and obtaining as much as they could during that time. If people want to obtain grog, they will do so. If there is total prohibition, people will construct stills. History teaches that prohibition always fails. It leads to crime and the United States is a classic example of that. In Australia, we

have the example of communities which have declared themselves to be dry areas. In spite of that, members of those communities still bring alcohol in. We are then criticised because they will not abide by the rules of their own communities.

Mr Leo: Do not use 'we' and 'they'. That is wrong.

Mr HATTON: 'We' as a Territory people, Aboriginal or non-Aboriginal. I am not making an 'us and them' analogy. I am saying that we in the Northern Territory must be prepared to say that we expect people to accept some personal responsibility for their own actions. When are we going to stop making the assumption that they must be treated like children? If you make a person accept responsibility, he will. If you assume that people do not have to accept responsibility and they should be protected from themselves, they will tend to act accordingly. I am becoming sick and tired of the debate about how we must do this, that and everything else to protect Aboriginal people from themselves. That is the fundamental aspect of much of this debate about alcohol. We should have the courage to say to Aboriginal people that they must accept some of the responsibility within their communities.

Mr Leo: That is nonsense, Steve. Why don't you do it with heroin or marijuana?

Mr HATTON: Mr Speaker, the member for Nhulunbuy says that it is nonsense. I dispute that completely. He asks why we don't do it with heroin. We do that with heroin. If we find somebody who is using heroin, we penalise him.

Mr Leo: That is right.

Mr HATTON: We make him accept responsibility for his actions because he is carrying out an illegal act. We should penalise a person who takes alcohol into a dry area. I am not saying that we should not. However, we should not be sitting back and saying that the community has no responsibility in the matter, as we are inclined to do. That is a fundamental problem. I do not believe that any member opposite will genuinely argue against that.

Serious socioeconomic problems are confronting Aboriginal people and many of those problems lead to alcoholism, to assaults, to battery of wives and children and to imprisonment. We will not help that situation at all by adopting a paternalistic attitude and saying that Aboriginal people cannot take responsibility for their own actions. It is important that we make that point.

Nor is it helpful to say that rules should be imposed in a non-Aboriginal community because of the potential effect on an Aboriginal community which may be some hundreds of kilometres away. That is an important point to note. I ask that, in this debate, we address as separate issues the matter of deaths in custody of all people and the socioeconomic circumstances which lead to the over-representation of Aboriginal people in custody. Lay people are often left with the impression that every Aboriginal person placed in prison faces a much higher risk of dying than a non-Aboriginal person in the same situation. Unfortunately, that attitude has been allowed to evolve in the community because of the way the debate on deaths in custody has developed. In many cases, we have been debating the wrong issue.

Mr LEO (Nhulunbuy): Mr Speaker, I agree with much of what the member for Nightcliff said. For me, the issue is not so much the incidence of Aboriginal deaths in custody as the incidence of Aboriginal people enjoying the services of Her Majesty's prisons.

As I have said in this House on previous occasions, I believe that the Northern Territory will be confronted with a terrible question in the not-too-distant future. I am talking about 20 years down the track. The bottom line is that even though we European Australians, who basically come from migrant stock whether it be in the last generation or 3 or 4 generations ago, have contemplated the concept of multiculturalism, we have never contemplated the concept of multiculturalism which includes the Aboriginal population of Australia. That can be reasonably excused and probably even reasonably ignored in the bulk of Australia because the Aboriginal population throughout Tasmania, Victoria, New South Wales, Queensland, South Australia and Western Australia, by and large, has been decimated and dispersed. However, in the Northern Territory, we face a unique problem in Australia. In this area, there are Aboriginal people who have a view of the world and a view of history and events which is entirely different from the migrant population's view of the world and its history.

I moved a motion in this House that a parliamentary committee be established to investigate and develop a system of justice which would recognise that. It was defeated, and I do not mind that it was defeated. However, I suspect that any rational view of the demography of the Northern Territory would lead any reasonable person to suppose that, in about the year 2000, all events being equal, the Northern Territory will be faced with a monstrous dilemma that none of us - black, white or brindle - will be able to escape from. We will be faced with the prospect that half of our population - not one-third or 25% or whatever it is now - will have 2 things in common: they will be poor and they will be black. That is a huge demographic problem that we face, and there is no point in trying to escape from it. It is a real problem. The Aboriginal population is divorced from our legal system and it is divorced from our legislative system.

Any reasonable person would understand that our system of justice rests on the pillars of the Westminster system. I am not saying that that is not an admirable concept. However, multicultural society in the Northern Territory contains a dynamic which does not exist in anything like the same dimensions elsewhere in Australia but which we will be forced to recognise whether we like it or not. There is absolutely no point in members in this House making excuses and providing reasonable explanations for events that occur now because it is my belief that, by the turn of the century, the Northern Territory will have to come to terms with the real dynamics of multiculturalism as it is expressed within the Northern Territory.

As the member for Nightcliff said, our problem is not so much Aboriginal deaths in custody as it is the application of law. It is the means by which we express ourselves and continue to ignore 25% of the population. If our laws meant anything to that 25% of the population, they would not be in prison. They would have precisely the same percentage of their population in custody as the European or the migrant population has. The fact that that does not occur shows that our laws mean nothing to that percentage of the population. Our laws are not doing their job. In this House, we are abrogating our responsibilities and, inevitably, that can lead only to the absolutely inescapable conclusion that our laws mean nothing to 25% to 30% of the population of the Northern Territory.

Mr Dale: So what do you do about it?

Mr LEO: At least you recognise the dilemma.

Mr Dale: Yes.

Mr LEO: Once you recognise the dilemma, you begin to realise that we have a problem.

Mr Dale: Right.

Mr LEO: And we are going to examine it. I do not know the answers. I doubt that any human being who ever existed knew or knows the answers. But at least we should be recognising the dimensions of the gulf that exists between segments of our population.

I appreciate that these problems do not occur in the urban communities within the Northern Territory but, certainly within the electorate of the Northern Territory itself, an immense gulf exists between the cultural values of the migrant population and the non-migrant population. I am not seeking in some way to differentiate between Territorians. I am not interested in that nonsense. The problem is that 25% of the population of the Northern Territory is held in custody in greater numbers than the other 75%. That is the problem, as the member for Nightcliff said, and I totally agree with his view there. We have to ask ourselves why that is happening. At least, we have to seek answers as to why that is happening.

I have been a member of this Assembly for 8 years and I accept that I am at least partially responsible for the problem. I am prepared to accept that, but I suspect that we are all responsible. We rely on cosy precedents, precedents that have been set in New South Wales or by the Westminster system of London and so on, as opposed to recognising the reality of our population's background. It is imperative that we recognise that because it is my belief that, within the not-too-distant future, the population of the Northern Territory will not continue to be able to support our current views. We can accept that and we can seek to enact laws in this House which will recognise that or we will be overtaken by events.

Mr TIPILOURA (Arafura): Mr Speaker, I had no intention of speaking in this debate but the remarks of the member for Nhulunbuy prompted me to rise, as did those of the member for Nightcliff. Personally, I do not believe that it matters what recommendations are made or what policies are set. We, the Aboriginal people, have to come to terms with what is happening to ourselves. The problem is that we are caught between 2 worlds: our world and the world of the whites which began here 200 years ago. People on the east coast were slaughtered. That happened 200 years ago and continued for some time. Our people cannot come to terms with the European lifestyle, the way the white man wants to live. That is the problem. We are trying to adapt to that way of living and to recognise what is happening to our community and to our people.

There is a problem with the difference between the white law and the black law. It does not matter what recommendations are made or what laws are implemented, they will never work in this situation. I say that strongly because I believe strongly that we are caught between 2 worlds, and that is the problem. The government can create good jobs and it can introduce programs in the communities but the problem will persist: we cannot come to terms with the European way of living.

A great deal has happened to Aboriginal people. We cannot handle the grog. We cannot obtain full employment. In education, we cannot reach the standard required in secondary schools. That is because we are living in 2 worlds. That is the problem. Governments can make laws and try to improve living conditions but it will make no difference and that is what I have been telling the people in my electorate. The people themselves have to try to

come to terms with the white man's law and with our own law. We believe strongly that we want to keep our law. Our law has been there longer than the European law. Thus, you see, Mr Speaker, we are caught between 2 worlds and that is the problem. That is my strong belief.

The Aboriginal people are trying to work out what is best for them in their own communities and outstations. Modern technology is new to us: cars, boats, television and radio. Everything is new to us. The attitude of our kids today has changed. Kids in Aboriginal communities have no respect for the elders today, and that is a fact. Do you know why, Mr Speaker? Because there is too much television, too much radio, and too much alcohol available. We are trying to cope with all that. The point I am trying to make is that the real problem is that we are caught between 2 worlds and it does not matter what laws are made or what programs governments try to implement in communities. They will never work.

It is up to us, ourselves. We have to come to terms with your law, with the Commonwealth. We cannot go back to our ancestors and the law that was given to them. We can still preserve that and hold our culture because we believe it is strong, but we have to come to terms with the white man's law. Aboriginal people have one law. We have always had one law. The white man's law changes all the time - every day, each year - and that confuses our people. White men change their laws all the time whereas our law has always been one law. It has remained unchanged for centuries and we still have that.

As I said, we have to come to terms with your law and your way of living, Mr Speaker. The number of deaths occurring is sad. It saddens me every time I see something about it on television or in the paper. But what can anyone do? Nobody can do anything about that.

Mr Leo: Suffer.

Mr TIPILOURA: We all have to suffer. Nobody has the answer. I do not have the answer. The federal government, the state governments do not have the answer. Nobody has the answer to the problem. The main thing which keeps us living today is our culture. But, as I said, we have to come to terms with the white culture. It will take some years, but bear with us. That is all we ask. Bear with us because, one day, it will happen. Time will tell.

We have to look at the health problems and the social problems in communities. There are not many Aboriginal people in the rest of Australia today. There are more of us in the Northern Territory. We have to combat many problems, including adapting to a different diet and different living conditions. We have to come to terms with all that, and it is very hard. That is why I say: 'Bear with us and we will make it'. We are trying very hard. Maybe people in some communities are trying too hard and that leads to sickness and drives them to drink alcohol. We are not used to pressure because we were not brought up that way. That is our problem. We are trying to come to terms with the European way of living and the European law. However, our law has been there longer, and we respect our law. Thank you, Mr Speaker.

Mr PERRON (Chief Minister): Mr Speaker, I enjoy listening to the member for Arafura when he speaks on these subjects, and I hope he will be around for a while to speak on them further in this Assembly. I do not share the pessimism of the member for Nhulunbuy who believes that a tidal wave is about to break over us. I hope he is wrong, as I am sure he does himself. We on this side of the House recognise that there are some enormous problems for

which no one seems to have answers. Hopefully, we will all continue to seek solutions.

In this debate, I would like to make a few contributions which relate to how we might go about trying to live together and how Aborigines can try to come to grips with living our way because it seems to me, as the member for Arafura said, that that is the only way to go. We would like to see Aboriginal culture and tradition preserved as much as possible, which I am sure will happen, in much the same way as we want to see other cultures around the world preserved so that we can learn from them and so that our children and their children can study them. To my mind, there is no future in any suggestion that we should draw lines in society and say that some people will continue permanently to live as Aborigines have lived for many thousands of years. That is not the way to go about it. Clearly the way to go, as the member for Arafura says, is for Aborigines to join non-Aboriginal society.

One of the issues which arises indirectly from my statement is that of respect for our laws. I have often pondered on what can be done about the situation in which the existing legal penalties have no real effect as deterrents. Once a person, Aboriginal or non-Aboriginal, no longer regards the penalties under the law as a deterrent, he is no longer subject to an enormous influence to do right thing by his fellow human beings. It seems to me that, as far as many Aborigines are concerned, there is no social stigma involved in going to prison. We hear stories - and I do not know whether they are true - that, among some Aborigines, having spent time in Darwin Prison is actually a status symbol. Among some young Aborigines, having spent time in jail may make one a big fellow.

If that situation exists in the Northern Territory, we have an enormous problem. Unless legal penalties make people want to resist breaking laws, we are faced with a terrible dilemma. There are no 2 ways about it. The fear and the social stigma of having to say that one has served a prison sentence keeps many people on the straight and narrow and, in the face of the little temptations which come along in life, persuades them that discretion is the better part of valour and to toe the line. If that pressure does not exist, society has a problem, and I believe that we have to come to grips with it. How do we do that? Do we make jail such a terrible experience that people will never want to go there again and will do anything not to go there again?

Mr Leo: It is irrelevant.

Mr PERRON: I do not think it would be irrelevant in that case. I am talking of extremism, of course, but ...

Mr Leo: It is extremism that is irrelevant.

Mr PERRON: Jail is a deterrent. That is what it exists for, presumably.

Mr Leo: You do not understand Aboriginal people.

Mr PERRON I am looking for an alternative to jail. I am also indicating that a real problem exists and it is one which has perplexed me for a long time. What do we do when people are not worried about being fined by the court because they will not pay and because the alternative of jail does not worry them at all? It provides 3 good feeds a day, pretty careful treatment and, if one reads the Muirhead Report, one sees that police and prison officers have to go to enormous lengths to ensure that one does oneself no damage. How, then, do we penalise people for whom jail is not a deterrent?

The member for Arafura touched on the issue of Aborigines trying to fit into our systems. Our systems have many flaws and, in expecting Aborigines to fit in with them, we do ourselves a great disservice. As an example, I want to refer to our industrial relations system although, no doubt, members opposite will disagree with me strongly. I am not a student of history but I know that, quite a few years ago, the union movement in Australia intervened in the situation of Aboriginal stockmen and said that they should no longer be paid so poorly. Indeed, I understand that they were paid very small sums of money and were often paid in food. In many cases, however, their extended families were looked after. In addition, they had their status as stockmen. As a young fellow in the Northern Territory, I frequently saw Aboriginal stockmen who seemed to be enormously proud that they were horsemen. They were proud of the boots, the clothes and the hats. Although they were not paid much money, they were really proud Aboriginal stockmen.

Along we came with our Australian system, saying that everybody has to be paid the same rates for the same work. Equal pay for equal work is a great principle. When everyone is equal, we are all allowed to drink alcohol and so on. At that time, the pastoral industry was told that it had to pay Aboriginal stockmen at the same rates as white stockmen. Pastoralists saw that that would be pretty expensive and some decided that they could not go on supporting extended families etc and, in cases where Aboriginal stockmen were seen to be less efficient than Europeans, they were sacked. That happened because pastoralists were forced to pay the same wage to an Aboriginal stockman as to a European stockman who might be more experienced and, perhaps, better educated. To my mind, this great step forward, based on a matter of principle, does not seem to have done the world of good for Aborigines. I am not saying that the former conditions should have prevailed until today. I am not saying that at all, but I wonder whether there may have been a middle course.

Nowadays, our system of industrial awards is very entrenched and this can lead to ridiculous situations. I recall a situation which, I believe, arose in South Australia. An employer came to an agreement with his employees who were women working in a chook processing facility. They wanted to come to work an hour earlier each day and knock off an hour earlier in the afternoon. That was not a problem for the employer. They were to work the same number of hours and their pay would not change. The new hours were implemented and things went along merrily for about 18 months until the union carried out an inspection and found that the situation was in contravention of award provisions. The award set out specific starting and finishing times and said that, if an employee commenced before 8 am, double time had to be paid. Eventually, the employer received a bill for some \$57 000 for back pay owing to the employees. In Australia, awards are laws and he had to pay. What a great accolade for the system!

Even today, our system is so damn rigid! People around the country are calling for the abolition of penalty rates in the tourist industry. The old mentality was that the working day went from 8 am to 5 pm and that, because any hours worked outside that time were seen to constitute a social hardship, penalty rates of time and a half were appropriate. That mentality still governs the system today and somebody who works 40 hours a week but happens to start at midnight and end at 9 am may earn twice as much as somebody who works the same number of hours between 8 am and 5 pm, simply because he is working outside what used to be called 'social hours'.

I think that the system could do with considerable restructuring. If it is not inconvenient to the enterprise in which they are involved, I believe

employees should be able to have a weekend on Wednesday and Thursday instead of Saturday and Sunday, according to their own choice and subject to agreement with the employer. I think that people should be able to start work at any hour and I do not see the relevance of the systems that we are locked into. Our industrial relations system is a giant structure with everything hanging on a range of very stringent rules and regulations, and this has implications in the Aboriginal situation.

For example, if a store on an Aboriginal community wishes to employ somebody to operate the cash register or stock the shelves, it has to pay the award rate. I suppose strong unionists would say that the rules cannot be bent in such a case. I wonder, however, whether the Aboriginal community ought not be able to say: 'We are running this show. We are paying the bills. We are buying the goods out of the store. We are accepting the profit from the store as well. It is all part of our community. Why can't we set down the rules as to who will work when and how much is paid to them? Maybe, with the available money, we can employ 5 times the number of people that the cheques which flow to us now from various sources enable us to employ'. Let us bend some of the rules so that they fit Aboriginal situations. Why should we demand that people on Melville or Bathurst Islands turn up to work at 8 o'clock in the morning? Why not 9 am, 10 am 12 pm or whatever? Let us bend the rules. If a union official was sent in to investigate such a situation, the place would probably be shut down.

Mr Speaker, I will have honourable members' comments in this debate analysed and will examine their suggestions and recommendations to see whether the government might be able to take some of them on board.

In conclusion, I would like to say a brief word for the police. My statement outlined some of the existing procedures and arrangements applying to police, as well as what they will be expected to do in relation to prisoners. I am not talking only about Aboriginal prisoners, but about prisoners generally. It is all very well for armchair experts such as ourselves, Royal Commissioners, lawyers and journalists, to climb on the bandwagon and say: 'This is the answer to it all. We must treat prisoners better, be more careful about how we arrest people and watch them every minute'. I hope that we are not heading towards a situation in which every person in custody has to be in the charge of another person, on a 1-to-1 basis; for as long as the period of custody continues. We have to bear in mind that such things have to be paid for.

Mr Speaker, can you imagine the frustrations which some police must face in their daily work? I appreciate that it was their choice to become police officers and they have undergone the necessary training. However, some of them must be rather terrified, when they take a person into protective custody or detain someone for the protection of the community or on suspicion that a crime has been committed, that the person they have apprehended may commit suicide. Even though he has taken the precaution of locking the back of the van so that the person will not injure himself and has taken the other normal steps required to protect him from injury, the police officer must also confront the possibility that the apprehended person might try to injure himself deliberately! I ask honourable members to bear in mind the situation in which the police find themselves. We are not talking about the average, well-dressed, sweet-smelling citizen. We are talking about people who are drunk, possibly injured, bleeding from sores, filthy, angry and abusive. They are not wearing nicely pressed shirts and ties etc.

I would also like honourable members to consider the deaths which police have actually prevented by taking people into custody. Whilst there will be no Royal Commission into those, probably never even an inquiry, we should think about how many drunken or injured persons have been taken to medical facilities by the police because nobody else was prepared to do that. Many such people have been cared for by the police undertaking a welfare role rather than leaving them lying in the parks. Let us remember that the police may well have saved thousands of lives. I am not saying that they should not do that but, when subjects like deaths in custody generate hype all over the country, one can easily gain the impression that all police maltreat people and that a few of those people die as a result.

Mr Leo: Come on, Marshall. You can do better than that. That is not very flash.

Mr PERRON: No other speaker in this debate has spoken up for the police. Maybe you ought to think about it now and again. They are protecting you as well!

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE
The Need to Increase the Range of Financial Services
Available in the Northern Territory.

Mr SPEAKER: Honourable members, I have received the following letter from the Leader of the Opposition:

Dear Mr Speaker,

Pursuant to standing order 94, I propose for discussion as a definite matter of public importance, the following matter: the need to increase the range of financial services available in the Northern Territory.

Yours sincerely,
Terry Smith,
Leader of the Opposition.

Is the proposed discussion supported? It is supported.

Mr SMITH (Opposition Leader): Mr Speaker, this matter of public importance tackles the problem of investment in the Northern Territory by examining the financial services sector of the Territory economy. We on this side of the House agree that the range of financial services on offer can be improved and that positive steps can be taken by a progressive government which would improve investment in the Northern Territory. This is one part of an integrated package of economic development policy which is being put together by the Labor Party and is aimed at enhancing the efficiency of the productive capacity of the Territory economy. We have begun with financial services because they provide the basis for investment. In a very real sense, they are the engine room for development in the Northern Territory. They are very important because Territorians have a reputation as entrepreneurs, second to none in Australia, and what they need is the cash power to convert their good ideas into going concerns.

If you are in a small business in the Northern Territory and are presently seeking funds, your choices are these: the big national banks, the finance

companies with their higher rates of interest or the bloke around the corner. I want to pay credit to the big banks because, over the last few years, they have advanced a much greater amount in loans to Territorians than they have taken in in deposits. That achievement is to be applauded. They do a very good job. For example, the trading banks here collectively take in some \$342m in deposits and advance around \$434m in loans to Territorians. The savings banks take in some \$265m and we estimate that they advance around \$206m. The bottom line for these banks, however, is that their policies are national policies, their interests are national interests and their profits go south.

The problem for the Northern Territory economy is that, quite clearly, we are at an early stage in our development and require a different pattern of capital investment in addition to the assistance already available through the various private institutions. Our stage of economic development demands additional investment capital delivered in a more flexible, customer-oriented fashion. The states, including Tasmania, have state banks which help to do this. These institutions provide competition against the big four and have a significant state bias in their lending portfolios. More importantly for the business community, they are committed to their own particular state and not to the dictates of a distant head office. They understand the local economy. They know which sectors are performing well, which opportunities have real potential and which entrepreneurs can perform well. They know local business custom and practice and, as Bob Major, the head of Territory Ford, recently pointed out in his open letter to the Chief Minister on this subject, they can and do reinvest their profits in their own economies.

The success of the State Bank of South Australia in the Northern Territory is a positive indicator. It has quickly built an excellent reputation in the Northern Territory as an entrepreneurial lender. It has accepted deposits of \$47m from Territorians and advanced funds estimated at \$44m. Obviously, it has filled a very important niche, one which can also be occupied by another needed institution. Of course, some will argue that the Territory is too small for a new financial institution, but the success of the Public Service Cooperative Credit Society and Territory Mutual are clear evidence that small financial enterprises can succeed in the Northern Territory. Last year's annual reports of those institutions indicate that they may have advanced over \$43m in loans to Territorians. Like the big banks, they took in a lower figure in deposits from the Territory and, obviously, they are trading quite profitably. It is our judgment that there is still insufficient choice, insufficient competition, an insufficient range of financial packages and insufficient flexibility to meet the needs of Territory business.

An opportunity is available for an operation which will provide new, flexible financial packages required by the business community. That operation is a Territory-based bank. New packages offered by such a bank could include interest-only loans and/or low-start loans for projects whose early-year cash flows would be low with later years producing high profits. In other cases, deferred interest advances or facilities would be more appropriate.

In order to succeed, the Territory banking institution would require innovative banking management and a legislative charter which, most importantly, would free management from constraints imposed by public sector conditions. It must be a commercial operation free of political intervention, whose performance would be judged by this House on its bottom-line result. That is the kind of approach which would see us attract winning managerial talent. In Tasmania, such an institution now has a deposit base of more than \$700m which represents 40% of the market. It serves a population which

is only 3 times that of the Northern Territory and, in our view, that bank may serve as a useful model for further analysis of the likely success of a similar Territory operation.

Let us look at whom the bank would serve. It would offer a full range of financial services. These would include innovative financial packages for corporate vendors. The range of deposit facilities would include low interest, no-fee, at-call accounts for both cheque and savings account holders, and high interest investment accounts. On the asset side of the balance sheet, there would be a diversified loan portfolio including home, boat and motor vehicle loans to consumers and the prospect of equity in mining, construction, tourist and pastoral projects.

Mr Perron: What do you think they all do now? This is drivel.

Mr SMITH: Mr Speaker, some argue that the cost ...

Mr Perron: I don't think you understand any of this actually.

Mr SMITH: I do not intend to respond to the Chief Minister's interjections but I will take up his comment that this is drivel. If he thinks it is drivel, he should talk to the business community. That is the acid test for this proposition.

Mr Speaker, some argue that the cost of prime office space would render a new, small bank unprofitable. If the bank were linked to TIO, whose assets include shopfront office accommodation, computing capacity and a large Territory consumer base, those assets would be exploited more efficiently. It would add significantly to the range of institutions and financial instruments on offer in the Northern Territory, and it would increase the amount of investment and entrepreneurial activity undertaken in the Territory.

The obvious and important question is: where do we get the capital base for a new bank? We start with the TIO. The TIO has now accumulated an investment portfolio of some \$119m, of which \$99m is placed in government and semi-government securities. That is a poorly balanced and insufficiently diversified portfolio. It may be very safe to place almost all your money in government and semi-government securities; it is also highly unusual and yields a very low return. Furthermore, I am sure that TIO shareholders would be embarrassed if they knew that only insignificant amounts of those funds are invested in Territory enterprises. Of course, if \$99m is invested in government securities, an insignificant amount is invested in Territory enterprise. TIO's funds are largely financing government activities throughout Australia instead of helping to drive the powerhouse of our economy which, fundamentally, is private-sector business enterprises.

Let us look at other government insurance offices around Australia. They invest no more than 33% of their investment funds in government and semi-government securities. In fact, some have none. This contrasts rather dramatically with the TIO's placement of 83% of its investment funds in those securities. There is no compelling reason for the TIO to be so conservative. Its legislative charter clearly provides it with the power to invest in shares, debentures and so on. Its act also enables participation in the wider financial services market, subject to ministerial approval. In fact, to give the TIO Board credit, it has made a start in that area. This House is undoubtedly aware of the new \$1000 deposit scheme and the small loan scheme which TIO has established. We propose to build on that start and move towards establishing a full range of banking services.

I would hope that, at the appropriate time, the Territory bank would make a competitive tender for the government account and so very quickly broaden its funds base. I think that the time is well overdue for us to look at where the Territory account goes and the benefits we receive from that. A successful bank would provide consumer finance and leasing services as well as a diverse asset portfolio of loans to entities in all sectors of our economy. Territory superannuation funds are another source of capital for investment within the Northern Territory and, again, the figures are quite staggering. Some \$74.8m, contributed to the various government superannuation schemes by both employees and employers, is currently placed in the hands of the big banks and insurance company superannuation fund managers. We do not know how much, if any, of that money is invested in the Territory. In our view, these portfolios should also be diversified and should include more Territory investment.

To put the matter in more personal terms, part of the \$74.8m available for investment is comprised of more than \$10m contributed by members of this Assembly. I am speaking of the Legislative Assembly Members' Superannuation Fund which is currently placed in the hands of the manager of the Westpac superannuation fund down south. I take some responsibility for that because I am one of the trustees. When I looked at the matter closely, however, I realised that I did not know whether a single cent of the \$10m in that fund is going into Territory enterprise. In fact, if I were to make a guess, it would be that none of the money is invested in the Territory. It is sent to Sydney and is incorporated into the Westpac general superannuation fund. We do not know what happens to it but, Mr Speaker, I will bet that very little finds its way back to the Northern Territory.

Mr Speaker, let us show the way. Members of this House pay lip service to the economic development of the Territory. If we are serious about that, let us invest our superannuation money here. Let us find out how we can invest those funds within the Northern Territory. I will move a motion along those lines at the next meeting of the fund's trustees because I believe that the trustees of the fund have an obligation to ensure that we invest as much as possible in the Northern Territory. I also believe that collectively, as members of the parliament, we have an obligation to point the way, to demonstrate our commitment and to show that the Northern Territory is a sound and successful place in which to invest. Such an investment would not only protect our own contributions but bring benefit to the Territory.

I estimate that I have \$80 000 currently in that fund and I know that some members have much more than that. The Chief Minister, for example, has probably contributed well over \$100 000 in his term. A gesture such as the one I have described would provide a striking symbol to the rest of the Northern Territory. By putting our superannuation money into Northern Territory investments, we would be demonstrating our commitment and providing a lead.

Mr Hatton: Make sure you get the trade zone when you are picking them.

Mr SMITH: Mr Speaker, I have a single codicil. I am not prepared to have any of my money go into the Trade Development Zone, and that is for sure.

Mr Finch: I will note that.

Mr SMITH: You can note it as much as you like.

Mr Speaker, I similarly believe that the trustees of the other public sector funds should review their investment policies. Once we have done so, it will be much easier for them. I am conscious of the need for the other funds, and indeed our own, to protect the interests of contributors. I also appreciate the need for wide consultation with the trade union movement on these matters. I am sure, however, that both the contributors and the trade union movement would welcome moves to invest their money in sensible Territory enterprises under conditions which protect their initial investments. As a first step, we will be suggesting to the trade union movement and to the trustees of the government superannuation funds that they look at appointing fund managers who are based in the Territory and who will have, or quickly gain, an expertise in the Territory economy. In my view, there is no reason why we need to look to the south for fund managers. We are now big enough, strong enough and have sufficient money in our superannuation funds to look at employing our own locally-based fund managers.

Mr Perron: Can we do that without a bank?

Mr SMITH: Can we do that without a bank? We can indeed do that without a bank and, if you had listened carefully to what I had said, you would know that I have not linked this matter with the bank.

Of course, there is a legal obligation on funds to maximise their rate of return and, certainly, that is important. But it is within the scope of that obligation to look at investing much more money in the Northern Territory.

In summary, it is time for a change in the way we view our financial institutions. Such change means a financial sector geared to the reality of the Territory's economic profile. Change means a government prepared to face the realities and seize the initiative. Change means restructuring. It means a fresh approach by everyone involved in the financial services sector, including the TIO, those who manage our NTPS superannuation funds and ourselves, the members of this parliament. I believe that, at this time, we are in a unique position in terms of being able to demonstrate to the people of the Northern Territory, in a very practical way, that we believe what we mouth on about so much. Change will benefit the suppliers of finance, the insurance policyholders, the depositors and the superannuation contributors. It will also benefit the business community which needs and is demanding more flexible access to loanable funds. In fact, it will benefit every Territorian.

Mr PERRON (Treasurer): Mr Speaker, the Leader of the Opposition is making the job harder all the time because, when he raises these sorts of issues, he gives us no substance. I recognise the idea which the Leader of the Opposition has just proposed. The tired old horse has been led out once again. We first saw it many years ago. However, the last time we heard of it was in the election of 1986 when the Leader of the Opposition made great speeches about Territoricorp, as it was then called. It sounds rather like WA Incorporated. 'Labor's Territoricorp will boost development and put the profits in your pocket' - great stuff! 'A Smith Labor government will draw on the expertise and success from the Western Australian model and establish the same system for developing the Northern Territory'.

I notice that, in today's debate, the Leader of the Opposition has wisely unhitched the horse from the Western Australian banking system and has hitched it to the Tasmanian banking system which he has found to be a more successful model. It is certainly less tainted and, as we all know, Tasmania has a conservative government which might have bearing on the fact that things are

looking a bit rosier there than they are looking in Western Australia at the moment.

I will not go into too much detail about the Western Australian scene. It is fairly sad and probably pretty well known to most honourable members. I am sure that they have taken a great deal of interest in the saga of the Western Australian government's involvement in the Rothwells quagmire. I am not sure whether the Leader of the Opposition is aware of this or not, but I am advised that the State Government Insurance Corporation of Western Australia, together with the R & I Bank, both government organisations, are effectively under the control of the Premier of Western Australia. I suppose that is what has exposed them to the political interference which has been the cause of so much embarrassment to the government of that state in recent times.

In the 1986 election campaign, the Territory Labor Party said that its economic policy would include the creation of Territorcorp, which 'would act as a co-underwriter, a sub-underwriter and involve itself in the money market'. It would 'generally do all those things which can only be accommodated in today's market by the largest of financial institutions such as the major banks and insurance companies that exist in larger states'.

I now turn to the Leader of the Opposition's suggestion that, with an injection of a few million dollars here and there from superannuation funds, the TIO would fairly quickly become a rival of the major banks. I think he is very much mistaken there. Australia's major banks and insurance companies have undergone a rationalisation shake-out which has seen merger after merger to secure economies of scale and a very highly-competitive market. In addition, a number of these institutions have been moving offshore and expanding their operations overseas. They are doing that, of course, so that they can provide their customers with a more handsome array of services as well as spreading their own risk and so on. If the Territory Insurance Office turned itself into a bank overnight, we would not really want it to behave in the same way as the private banks behave in the Territory because they take deposits from interstate and put those funds to work in the Northern Territory. For our bank to operate likewise, it would have to take deposits from Territorians and invest them in the states. I think the Leader of the Opposition really needs to think these things through.

Mr Speaker, the speech of the Leader of the Opposition was all over the place. I have been trying to grab hold of something of substance in what he said. Page 4644 of the Parliamentary Record for last October records the Leader of the Opposition as saying: 'The story is not so very flattering to the so-called financial wizards in the government and the Territory Insurance Office, but that will wait for another day'. One presumes that he intends to sack everyone in the Territory Insurance Office because he does not have much confidence in them. He will certainly not turn it into a bank while it is run by the people who run it at present. He has no faith in them whatsoever.

I think that, in the process of arguing that the TIO should be turned into a Territory bank providing the services which banks normally provide, the Leader of the Opposition missed a number of the fundamentals of banking. I am advised that getting into banking these days is an enormously expensive business and that the provision of offices throughout the Northern Territory, which the TIO has at present, would not really be a major part of the expense. I am advised that equipment and personnel are the major expenses in setting up a bank and that the cost of establishing a new bank in the Northern Territory could be in the order of \$20m.

That money has to earn a return, of course, because we are talking about capital investment. The existing banks have the advantage of having been here for a long time and some of them own prime real estate around the Territory, real estate which they did not pay such a high price for at the time of purchase. They have the networks and the computer programs and most of them are international as well as national. I am also advised that the private banking industry in the Territory has carried out its own estimate of what it will spend this year on personnel, equipment, rent and other operating costs and that the total amount is \$43m. That is an interesting figure. We have not seen anything like it before, coming as it does from the banking industry itself, an industry which employs 1200 full-time and part-time staff in the Territory and is represented by 32 branches, 8 sub-branches and 95 private agencies.

The Leader of the Opposition has already indicated that the amount of credit extended in the Northern Territory by banks exceeds the amount of deposits which they collect here. That was not the situation 5 or 7 years ago. In fact, statistics collected by the ABS show that Territory deposits were then higher than investments. The situation has changed considerably, as is appropriate, and we should be somewhat thankful that the banks are picking up money interstate and investing it in the Northern Territory.

If the TIO were to set up a Territory bank as a stand-alone operation, using the superannuation funds that are available, it would lack the very extensive interstate and international connections of the established banks. The banks form something of a club and, whilst I am not saying that it is impossible for a new bank to muscle in, most of the banks have been operating for a long time. As I said earlier, there have been a number of mergers recently because the game is large and competitive. If we think that a little Northern Territory bank would carve out a niche for itself in the Australian banking market, we are expecting rather a lot. That would be a very difficult job indeed.

The Leader of the Opposition does not seem to have much experience of the sorts of services banks can offer. He gave a spiel about what services this new Territory institution would offer to people, services which supposedly are not available today because there is insufficient competition. Insufficient competition! There are 7 banks, 32 branches and 1200 staff in the Northern Territory and they are all trying to make a profit. I would think that the banking industry is reasonably competitive in the Northern Territory. The Leader of the Opposition, however, wants more flexibility in lending policies. He wants deferred interest and low-start loans and 'innovative financial packages' - whatever that means. I can assure him that banks already tailor their financial packages to their customers' needs. They already provide low-start loans and enter into deferred interest arrangements. They also negotiate special financial packages, some of which are enormously complex, involving leasings, deferred payments and possibly the odd special program to minimise taxation here and there and so on. Those services are part of everyday financial negotiations between business and banks.

Listening to the opposition, however, one might believe that the only service a bank offers occurs when you walk through the front door and say that you need some money, whereupon a staff member points to a printed sign in a corner which says that money can be borrowed at 17% and asks how much you need. The Leader of the Opposition is trying to give us the impression that that is about the sum of services offered by banks today, and he is very wrong. He said that the new bank of the Northern Territory would offer high-interest deposit facilities. I am sure that it would, depending on the

market. The existing banks offer high-interest deposit facilities and so do insurance companies. The TIO offers a deposit ...

A member: The money costs more so they have to get more for it.

Mr PERRON: That is right. Obviously, they can only pay slightly less than they can lend it to someone else for. It is all very well to say that this bank would have armfuls of money, would defer all its interest collections, would pay high interest rates on deposits and, at the end of the day, would also make a profit and cover its establishment fees.

The Leader of the Opposition also tried to give the impression that the TIO has an enormous bag of money that it should be doling out to local businessmen in loans etc rather than having it tied up in government and semi-government securities. I can assure him that the TIO gets some fairly good advice on the portfolio structure of its income, having regard to its age, which is very important. It is a very young insurance company. Insurance investment is a very important science. As the Leader of the Opposition should know, one of the members of the TIO Board is a very experienced, retired general manager of the New South Wales Government Insurance Office, which is a pretty large concern. That man has been on our board for some years now and has played a key role in the formulation of the TIO's investment policies.

Of course, the insurance industry has to maintain an enormous portion of its income in liquid assets. It must be able to pay cash for claims on demand. At any time of catastrophe, the TIO has to be able to say to each of its customers that his cheque is available over the counter, and indeed it can. It would not be appropriate for the TIO to tell people to come back in a couple of weeks after it has tried to raise some cash.

Mr Smith: You have it tied up at the moment.

Mr PERRON: Mr Speaker, the Leader of the Opposition may not know that many government securities and Territory loans are - or, certainly, were - instantly cashable. Despite the fact that they were invested for a specified term, they could be sold instantly. I believe that that is still the case. However, in the case of money lent to an individual, say an amount of \$1.5m for the construction of a 4-storey office block in Stuart Park or Fannie Bay, it is not possible to have that money back immediately. The insurance industry is very refined. It has formulas for investment in various activities and a very high proportion of its funds have to be accessible at short notice.

I can assure the Leader of the Opposition that, if his research has shown that interstate government insurance offices have their levels of semi-government borrowings down as low as 33%, they will certainly have other securities - although perhaps not government ones - which are cashable and sufficient to enable the insurance company to meet its liabilities. That is what the TIO is doing at present. If the Leader of the Opposition thinks that, in the event of his winning government, he could direct the TIO on how to structure its investment portfolio and, at the same time, avoid the sort of situation which has occurred in Western Australia, he has a lot to learn.

The honourable member spoke about the Legislative Assembly superannuation fund and I guess this will be a test of honourable members. There is about \$10m in the Legislative Assembly Members' Superannuation Fund and it is invested with the approval of the trustees on our behalf in the highest

earning organisation we can find that is pretty secure. Whilst the recent interest return was a fairly disappointing zero because of the stock market crash, honourable members will be aware that the previous return was in the order of 34%.

The Leader of the Opposition would take members' superannuation funds out of the national fund which very carefully manages it on the stock exchange in property developments and a whole mix of very high return investments. He would give it to the Northern Territory bank, developed from the TIO, and say: 'You give us a return. Use the money in the Northern Territory'. If he is prepared to move from 34% interest rates to 14% interest rates, it is probably possible tomorrow. He could move a motion in this Assembly removing the discretion from the trustees of the superannuation fund and seeking that those funds be forthwith invested in the TIO, which is currently seeking deposits from Territorians. It will pay market rates and, hopefully, a good market rate.

Indeed, well over \$1m is deposited with the TIO in what is called 'TIO Finance' which was established last year. We passed legislation in this House to allow the TIO to become involved in financial services. In fact, it has been involved in financial services for a considerable period. It is not issuing cheque books to people and does not intend to, but it is involved in financial services - borrowing and paying an interest rate and on-lending to other Territory-based industries and organisations. It will continue to do that. If the honourable member really wants to show that he has his money in the right place, let him move a motion that the Legislative Assembly Members' Superannuation Fund be invested with the TIO.

Mr EDE (Stuart): Mr Speaker, wasn't that the most miserable 20 minutes that you have ever heard? Wasn't that the biggest bucket of cold water that you have ever heard poured on a positive proposal for development in the Northern Territory? Our Chief Minister has an amazing ability when he sees something that is a little cheerful, a little bright and happy - a spark to which a little tinder could be added to get it burning. The Chief Minister comes in with a bucket of water and says: 'Don't talk about that. It is hopeless. We do not want to know about that. We are happy being miserable. We are at the bottom of the trough in the biggest economic recession that we have had in living memory and we are happy there'.

That is his attitude. That is the Chief Minister - Mr Misery Guts. You cannot get a positive word out of him, Mr Speaker. It is knock, knock, knock. He really has had a change of life. It is incredible. Years ago, I used to listen to him when Paul Everingham was the Chief Minister. It was not a bad double act. Paul Everingham had the ideas and the member for Fannie Bay, now Chief Minister, would stand behind him with a few facts and indicate that that was the way they would go. However, the government has made the incredible mistake of putting the member for Fannie Bay in charge. Now all we have is this load of misery. He spent 20 minutes knocking every constructive proposal put forward by the opposition in an attempt to get us out of the predicament we are in. He would not wear an iota of it.

Mr Perron: It is happening.

Mr EDE: Oh, it is happening. I will tell you what is happening. Do you know who has pulled out recently? National Mutual Royal has pulled out recently. Natwest Finance has gone. Citibank left a little while before them. I will tell you about some others which have gone.

Mr Coulter: You have 11 minutes. I would be fast if I were you.

Mr EDE: I will have to be fast if I am going to go through the whole list. There is no way in the world that I could add the companies which have gone broke because it would be impossible within the time.

It is quite outrageous. I had my pencil poised while the Chief Minister was speaking. I was ready to take notes on what he was saying, to applaud the good points and to point out the error in others. I did not have a thing to write down. Finally, I thought that, when it comes to our own superannuation fund, he will show that he has the courage of his convictions and he will be a little positive in relation to that. Certainly, I thought that he would think that was a good idea. All we heard from him was groans, moans and misery. I do not know whether it is because he is coming close to his retirement and feels like pulling the pin. He has no faith in the Territory.

Mr Smith: He is not impressed about moving the money back to the Territory.

Mr EDE: He is not impressed about bringing it back into this economy. What does he know, that we don't? Is that the problem? It is pretty worrying when the people who are in charge of the piggy bank do not want to put their own dollars into it. Why aren't the managers of this economy the first to applaud such an idea? Why don't they say that they will underpin the growth of the Northern Territory and set an example for others to follow?

I have spoken time and time again about how we need to develop this Territory and what we have to do. We have to identify the advantages that we have and to build on them. We have to build on our advantages in terms of our location, our people resources and our climate.

Mr Coulter: We know that.

Mr EDE: Why don't you do it if you know it?

I will keep on saying it, Mr Speaker, until they start doing things about it. I will not be put off. We have the potential to develop a horticultural and agricultural industry which would be second to none. We must take advantage of the fact that the ripening of our horticultural produce coincides with the off-season in South-east Asia. We must develop our skills in processing, presentation and marketing. The opposition will not do what this government has done, which is to argue that there is a transport problem. We will get in there and develop the Territory.

We will become involved in the buffalo industry. Instead of trying to kill it off as the people opposite are doing, we will supply new ideas.

Mr Reed: Give us some. What are they?

Mr EDE: I will give you one straight off the top of my head. I heard it just the other day. Sperm from milking buffalo around the Mediterranean could be used with our disease-free herd to develop a disease-free herd of milking buffalo whose milk could be used to manufacture cheese and other high-protein products for export. Later on, those milking buffalo could be exported into the herds of South-east Asia where they would do something for the protein-deficient millions who live there. That is something which can be done for the buffalo industry, rather than destroying it.

Mr Speaker, I have often spoken about the outrageous number of cattle which we export on the hoof from the Northern Territory.

Mr Reed: How will you fix that?

Mr EDE: I will tell you. The industry needs to be turned around. Instead of the Northern Territory being the ...

Mr REED: A point of order, Mr Speaker! The subject of this matter of public importance is the need to increase the range of financial services available to the Northern Territory. We have just heard from the honourable member opposite about the buffalo and cattle industry. I ask that the member be directed to address the substance of the matter before the House.

Mr SMITH: Mr Speaker, speaking to the point of order, the member for Katherine has spent the last 10 minutes asking the member for Stuart to provide him with examples of how a new financial institution in the Northern Territory can help develop Territory enterprises. When he gets the answers, he does not like them.

Mr SPEAKER: There is no point of order.

Mr EDE: Mr Speaker, in the small amount of time left to me, I will give the answer which the member for Katherine asked for. We have to identify the industries and the strategies so that we can put the finance to work. We need to turn the pastoral industry around. Instead of moving the stock interstate, they should be moved progressively to the highly productive lands of the north, through an export abattoir and into South-east Asia. We should have flow-on industries like canneries and tanneries so that we process every bit of the beasts here instead of having that occur elsewhere.

We should not go chasing chimneys, simply trying to buy industries and offering so many incentives for their establishment that, at the end of the day, the costs of the exercise are greater than the benefits. We should not try to bring in enterprises which are working well in their present environments. If people elsewhere are doing something well, let them have that part of the market while we concentrate on the things that we are good at. That has been the major problem with the Trade Development Zone. Other people are better at setting up that sort of project because their national governments are tied in with local governments and they are able to put together the necessary packages. We do not have that situation and we should not be trying to operate in the area.

We should be focusing on the assets we already have and developing the links. We should have task forces looking at the application of technology developed by our university, combining researchers and academics with hard-nosed financial experts from our own financial institution, working together with small business in the Northern Territory. We should develop local ideas into packages which will allow us to develop industries here in the Northern Territory.

But, what is happening at the moment? I will tell you what is happening. The financial industry, which is an essential ingredient in growth, is leaving town. We are developing the university and we will have people with the ideas. We have the entrepreneurs. They are suffering but they are still here. We have the location, the climate and the land. We have all those ingredients but we are losing our financial industry. We need those people because they are the cement in our development. We have lost the National

Mutual Royal Bank, Natwest Finance, Citibank and Marsh & McLennan, National & General and MLC used to work through brokers here but no longer do so. They simply sell direct insurance if a customer walks through the door. T & G has also left. These are the people we need to get our development going.

A Labor government will build on our natural advantages and our own people, using local expertise to replace what we have lost. The people opposite obviously have decided that they will simply do nothing. They will say: 'They have all gone. We will sit down and wait and, hopefully, they will come back some day'. That is not good enough for people on this side of the House. We are not prepared simply to sit down and wait for that to happen. We intend to grab development by the throat and make it work. This Territory is looking for leadership and the people opposite have shown that they are not interested in providing it. The Chief Minister spent his 20 minutes pouring buckets of cold water on the idea proposed by the Leader of the Opposition and, whilst this government may not intend to act, we will.

We will demonstrate how to get these proposals off the ground, how to bring in the financial institutions again and how to draw together the basic resources required for development in the Northern Territory. If we were not fair dinkum, we would be sitting back now and allowing the government to stew in its own juice, holding back our ideas for an election campaign. We are not doing that because we believe in the Territory and it is too important for us to allow it to be destroyed.

Members interjecting.

Mr SPEAKER: Order!

Mr Palmer interjecting.

Mr SPEAKER: Order! The member for Karama will cease interjecting and note that, when I call for order, I mean it. The member for Stuart may have an extension of time in view of the extent of interjections.

Mr EDE: Thank you, Mr Speaker. I intend to make only one more point, which is that the whole of the Northern Territory can benefit from the kind of development which we are proposing. In the past, the thrust of development has tended to bypass places such as Alice Springs, Tennant Creek, Katherine and so forth but we intend to apply the same approach in all places, identifying what people are good at doing, locating expertise to help develop that further and identifying markets. The basis for all this is money. We need the finance people, and that is the point of this whole matter of public importance. We need the money people.

Mr Speaker, I will make a last appeal to members opposite not to throw out ideas such as this simply because they come from this side of the House, but to join with us as partners in developing ...

Mr Reed: It sounds like a marriage ceremony.

Mr EDE: If that is the attitude of the Minister for Primary Industry and Fisheries, it is not worth making an appeal like this. However, we will continue to air our ideas so that, hopefully, someone on the opposite side of the House will mention them in the party room, saying: 'Let's get together on this. Let's join in and identify the areas where we agree so that we can get development going again'.

Mr COULTER (Mines and Energy): Mr Speaker, let me tell you what the Leader of the Opposition is telling the Northern Territory electorate. On ABC radio 8DDD yesterday morning, Tuesday 14 February, in an interview with Gerry Gannon, the Leader of the Opposition said that he had spent his Christmas holidays reassessing the Labor Party's policies. In his column in the NT News, he stated recently that he had spent a week reassessing the ALP's economic policies. He has admitted that he has seen the light in this instance.

Let me tell you what the Leader of the Opposition did on 5 January 1987, on returning from holidays in Queensland where he looked at the tourism infrastructure. A press release said: 'Opposition Leader, Terry Smith, said today he is more convinced than ever that the key to the Territory's economic development is tourism'. He came to that realisation in 1987, 3 or 4 years after we became involved in the construction of that magnificent facility at Yulara. Lying on the beach in Queensland, a surfboard hit him on the head and he suddenly saw the light. On his return, he said that 'the federal government must be made to see the desperate need for decent airport facilities in Darwin and Alice Springs'. Mr Speaker, I think I have found the source of the problems in the first sittings of each year. It is that the Leader of the Opposition goes on holidays. If we can stop him from doing that, we will put an end to these nonsensical MPIs.

This year, on his return from holidays, the Leader of the Opposition said: 'The issue of the greatest concern to Territorians is that of economic development and cost of living'. He and the Labor Party apparently have decided that, after almost 11 years of self-government, the policies of the Country Liberal Party are the right ones for the Territory. We congratulate him for his latterday conversion. Like Saul of Tarsus, who was blinded on the road to Damascus, he has seen the light. The Leader of the Opposition, however, is only mouthing words. He has yet to become a true believer and a supporter of the orderly program of economic development laid down by this government over more than a decade. Terry Smith talks about the cost of living and economic development.

Mr Ede interjecting.

Mr COULTER: The Leader of the Opposition talks about the cost of living and economic development but his entire political world is about negating the efforts of this government to create jobs and generate economic activity. There is not one issue related to economic growth on which Mr Smith has advocated support for the government. The first parliamentary leader of the Labor Party in the Northern Territory was the same. Jon Isaacs, like Terry Smith, was an opponent of the right of Territorians to control ...

Mr SMITH: A point of order, Mr Speaker! There is a custom in this House of referring to members by their titles. I know it is very difficult for the minister to move away from his written text in order to follow that custom, but I would ask that he do so.

Mr SPEAKER: There is a point of order. The honourable minister will refer to members by their correct titles.

Mr COULTER: Certainly, Mr Speaker.

As I was saying, the first parliamentary leader of the Labor Party of the Northern Territory was exactly the same. Like the Leader of the Opposition, he was an opponent of the right of Territorians to control their own destiny

and an opponent of economic growth programs mapped out by the CLP and carried through since 1978. The first Leader of the Opposition, Jon Isaacs, eventually found that he was ploughing infertile ground and, several years ago, he left politics to become a public servant in New South Wales. He is now in charge of the society for the blind in that state. Mr Isaacs has found an area of work which is most commendable. The present leader of the Labor opposition could also be said to be in charge of a blind and deaf organisation, and that is the Territory Labor Party.

Mr SPEAKER: Order!

Mr COULTER: The parliamentary wing of the Territory Labor Party, if he wants to be pedantic about it.

One would expect that, if the Leader of the Opposition wants to add substance to his professed desire to promote economic development and reduce the cost of living, as a politician whose party is in power in Canberra, he would use his influence to argue for the immediate introduction of more favourable personal tax regimes and for some action by the federal government on home loan interest rates which are creating huge burdens for single-income earners and, more importantly, family groups in the Northern Territory and throughout Australia. Today, Wednesday 15 February, the NT News announced that the pressure on money had forced the Northern Territory building society, Territory Mutual, to increase its mortgage interest rates by 0.5%, taking new borrower loans to 15.25%, a rate that is even higher than that sought by the major banks. The Assistant General Manager of Territory Mutual, Mr Rob Gibson, said that some banks were already predicting more increases in the very near future.

The Leader of the Opposition has been silent on the need for his colleagues in Canberra to address this position. I challenge him to tell this Assembly what his policy is now. If the Territory bank were established, what would a Labor government instruct it to do in this current market situation, in which finance institutions must increase housing interest rates because of the pressure on them? Would the Leader of the Opposition have 'Territory Incorporated' ignore market pressure and subsidise home mortgages out of Consolidated Revenue? If that is his argument, he must be saying that 'Territory Incorporated' would not be a commercial financial institution but an arm of socialism, and that punitive taxes would be raised in other areas to support his goal. He must tell Territorians where he stands and he must do so today or tomorrow. He should do so tonight when he appears on the 7.30 Report.

More importantly, with the Premiers Conference on Housing due to take place in Canberra on 3 March, it would be helpful if the Leader of the Opposition and his party could advise Territorians as to why they support a market situation in which Australians servicing housing loans of \$70 000 to \$80 000 are paying out between \$900 and \$1100 per month. If the Leader of the Opposition has no policy in relation to that, and I do not believe he has, how can he have a workable policy in relation to his vision of 'Territory Incorporated' or the Territoricorp which he proposed a number of years ago. As the Chief Minister pointed out, there was no doubt about where that vision came from: 'A Smith Labor government will draw on the expertise and success of the Western Australian model and establish the same system for developing the Territory'. The bank was to 'handle all government and semi-government finances and would also operate as a normal savings and commercial bank'. Territorians 'would be offered a share in the new enterprise and profits from the venture would be returned to shareholders and the government'. That is

how a 'Smith' government would transplant WA Inc to the Northern Territory. Mr Speaker, there is nothing new in the proposal which has been put to us today. It has been put forward time and time again.

Now let us look at some of the solutions that were offered a little while ago. On 19 June 1986, the Leader of the Opposition spoke in the debate on the Address-in-Reply and addressed the issue of government involvement in development. I will quote his remarks on that occasion so that honourable members will be very clear about the model which the Labor Party is developing, in contrast to the strategies of the Country Liberal Party. He said: 'Government assistance to industry must be on an economic basis. All that is necessary is to inject a small sum of money into an organisation'. That is all you have to do: put a bag full of money in place and everything will be all right. Let us be clear, once and for all, about what the Leader of the Opposition is getting at. It was Western Australia Incorporated in 1986 and it is Western Australia Incorporated in 1989. His position has not changed by the smallest fraction since 1986 and, whether members opposite imagine that it will be a Smith Labor government, a Bell Labor government or an Ede Labor government, their proposal is the same. It is socialism at its best.

As usual, the opposition has chosen the wrong issue to debate. As the Treasurer has indicated, there is a pretty full range of financial services available in the Northern Territory. The problem is not so much a shortage of finance for business and industry. Rather, it is the shortage of bankable proposals. It is not merely a matter of saying that all the problems will be fixed if money is supplied. If there is a gap in financial services, it is a small one in the venture capital area. This is where the nature of the product means high risks but potentially high rewards. It was interesting to hear some of the projects that have been put forward from the opposition benches today. One was to import buffalo sperm from Asia. That would be a high-risk project indeed, and members of the opposition are prepared to invest public service superannuation money in it. I will be interested to see the reaction of public servants when they find out that the opposition is seriously considering using their superannuation funds to import buffalo sperm from Asia.

Mr Ede: From the Mediterranean region.

Mr COULTER: From the Mediterranean - using the superannuation funds of public servants. I would like to see that in a Smith Labor government policy document. We now know the Territory Labor Party is interested in high-risk venture capital schemes such as those detailed by the Deputy Leader of the Opposition.

The Department of Industries and Development, with the valued assistance of prominent professional people in the Territory, is seeking to determine whether it is appropriate for a venture capital company to be set up here. The Territory has few big businesses and almost all of them, perhaps unfortunately, are branches of interstate firms. The needs of the financial services sector are met almost entirely through their head offices and they have few needs which have to be directed through their Territory branches. That means that our real focus must be on small business.

Before I go any further, I would like to say that, for the purpose of this discussion, I am including in my definition of 'small business' all non-manufacturing or service enterprises employing 1 to 20 people and manufacturing enterprises employing up to 100 people. In fact, this is the Australian standard definition of 'small business'.

The experience of the Department of Industries and Development is that commercial lenders are looking for 3 major things when they deal with small business. The first is security. Banks and other financial institutions have basic rules about the type of security they look for and the amount which they are prepared to lend against security. Secondly, they are looking for any business venture able to repay funding that is provided to them out of cash flow. In order to know whether this is possible, financial institutions require some information on expected cash flow. Basically, what they are looking for is a business plan. Thirdly, they look for management ability. Financiers are always interested in whether an applicant for funds has a good track record, hopefully in the same area for which he is seeking money, but a good business track record in any case.

One of the key observations about business in Australia and probably the world is that business failures are mostly management failures. It has been said that businesses do not plan to fail, they simply fail to plan. An article in the Australian Small Business Review at the end of last year stated that 12 000 small businesses fail each year in Australia and that about half of these failures are due to managerial problems. The situation in the Territory is very much the same. For that reason, my Department of Industries and Development puts a major emphasis on trying to assist managers to do their jobs better.

Mr Deputy Speaker, I am running out of time. I would have liked to have had further time to add substance to this debate which, apart from the contribution of the Chief Minister, has been sadly lacking.

Let me sum up what the opposition is putting to us today. It is saying: 'Come back, Brian Burke. All is forgiven'. The opposition preaches about assistance to small business, but what it proposes is the full horror of Western Australia Incorporated in Territory disguise. What that means, of course, is that small business would be ignored completely. The Western Australia Incorporated style, immortalised by Brian Burke, is all about dealing exclusively with your mates, with the people who kick into Labor Party funds. It offers nothing at all to small business. The Western Australian Incorporated style is sinister. It gives off the smell of corruption and cronyism and we do not want it here. Rather than deal with the Western Australian Incorporated style of ALP policy, I would prefer to consider the long-held economic and business policies of the socialist left. I might disagree violently with them, but at least they have integrity and come from a committed political philosophy. This is the stuff being promised today by the Leader of the Opposition under the guise of a new script for 1989.

UNLAWFUL BETTING BILL
(Serial 159)

Continued from 14 February 1989.

Mr BELL (MacDonnell): Mr Deputy Speaker, this is one of the tallest orders I have ever had. I never thought that I would find myself contributing to a second-reading debate following an endorsement of the socialist left by the Leader of Government Business. Suffice it to say that I am sure that Territorians will appreciate that times are getting tough when the member for Palmerston has to ...

Mr DEPUTY SPEAKER: Order! Is the honourable member going to talk about the Unlawful Betting Bill or not?

Mr BELL: I am indeed, Mr Deputy Speaker. It is a natural flow-on. I think the Leader of Government Business betting on the socialist left would rank in the CLP as unlawful betting.

I must admit that I am at a bit of a loss to work out why the Attorney-General is the minister responsible for this bill and the Racing and Betting Amendment Bill and why the 2 bills are not regarded as cognate. In fact, these 2 bills are bracketed with the Listening Devices Bill which has nothing in common with them. However, I suppose that the Attorney-General, as a good Collingwood boy who grew up in John Wren territory, would appreciate the need for listening devices in the context of the policing of unlawful betting. Thus, it is a natural winner with him.

The opposition is quite happy to support the Unlawful Betting Bill. As the Attorney-General mentioned in his second-reading speech, legislative initiatives have occurred Australia-wide as a result of the Costigan Report and the need to ensure that there is a uniform approach to the attack on organised crime. I imagine that the Attorney-General will agree that organised crime and illegal SP betting have not been a big problem in the Territory. However, it is appropriate that the Territory legislate in the same manner as the rest of the country to ensure that there is a uniform approach to these matters.

I would make an ancillary point. Since the Costigan Report has been to some extent the progenitor of this attack on organised crime, it is important that we have this Australia-wide approach. I have not studied the report in depth because it is not a matter of great concern in the Territory. However, with the implementation of tax file legislation, the federal government is endeavouring to eliminate the tax evasion associated with both lawful and unlawful betting. It is worth placing on record in this Assembly that the federal government has got it right in that area. Further, the federal opposition has given the move its support, in terms of people paying their fair share of taxes. That support makes an interesting contrast with the more rabid attacks on the Australia Card legislation. It is very interesting that the Australia Card legislation was met with such an extraordinary response whereas the tax file number legislation has been accepted, although not entirely without controversy.

Mr Deputy Speaker, I am happy to place on record the opposition's support for this bill and for the associated Racing and Betting Amendment Bill.

Mr SETTER (Jingili): Mr Deputy Speaker, the minister has indicated that this bill is part of a package designed to combat organised crime in the betting industry. We all know that organised crime can be an horrendous blight on any community. I do not believe that there is organised crime of any note in the Northern Territory. However, history tells us that, in other parts of Australia and the world, organised crime plays a major role. The federal government and state governments have spent considerable sums on setting up crime-fighting authorities to address this issue.

As I said earlier, I do not believe we have organised crime in the Northern Territory. It is, however, very important to have legislation which will very quickly identify it and nip it in the bud if it ever moves up this way. That is what this particular bill and several others in this package are designed to do. They complement the Crimes (Forfeiture of Proceeds) Bill which was passed in November 1988. The government has been amending legislation, adjusting penalties etc in order to combat the threat of organised crime.

The package of bills results from a report presented by an interdepartmental committee established last year to review the Northern Territory betting industry. It is quite a large industry. In various communities in the Northern Territory, we have licensed bookmakers and the TAB. Without being able to quote an exact figure off the top of my head, many millions of dollars are channelled through the betting industry each year. It is a big industry and we need to have it under very tight control. It offers considerable opportunity for dishonest persons to take advantage of possible weaknesses in legislation to make illegal profits. We need to watch it very closely and ensure that our legislation prevents this.

The committee considered the Costigan Report which resulted from the Royal Commission into the Painters and Dockers Union several years ago. I would like to quote an extract from the Attorney-General's press release of 29 November 1988 in which he referred to the Costigan Report. He referred to the Costigan Report Volume 4, paragraph 2.014, which states:

There is little doubt that criminal organisations play a big part in the control of starting price bookmaking. With that control comes the worst aspects of criminal behaviour. Violence is endemic to it. Moreover, the criminal organisations do not hesitate to corrupt. It may be the corruption of a police officer or a bank manager or anyone occupying a position from which the organisation can derive a profit.

The Costigan Report identified a number of areas in which manipulation, blackmail and all sorts of pressures can be applied to certain people within the community for the benefit of organised crime.

This bill addresses illegal betting, tax evasion and the existing powers of authorities in the Northern Territory. It allows for a substantial increase in the penalties which have been applied in the past. Without going into detail, I would like to give some examples of those penalties. In doing so, I will refer to the existing penalties and the new penalties. At level 4, relating to people running an unlawful betting business, the following scale of penalties apply: for a first offence, the penalty increases from \$30 000 to \$50 000; for a second offence, from \$50 000 to \$100 000 or a 3-year jail sentence; and, for a subsequent offence, from \$100 000 to \$200 000 or a 5-year jail sentence. I am quite certain that that would deter many people from becoming involved and exposing themselves to the possibility of suffering those considerable penalties. In closing, I would like to point out that similar legislation has existed in Tasmania for some time. I understand that it has been very successful in reducing and controlling the incidence of organised crime within the betting industry.

Mr MANZIE (Attorney-General): Mr Speaker, I thank honourable members for their support of the bill. As the member for MacDonnell pointed out, the bill is one of a package of bills. I would like to inform honourable members that we will not be proceeding with the Listening Devices Bill at this stage because it has been referred to the Police Powers Review Committee for comment. I have yet to receive those comments. When I receive them, we will proceed with the bill.

Motion agreed to; bill read a second time.

Mr MANZIE (Attorney-General)(by leave): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

RACING AND BETTING AMENDMENT BILL
(Serial 157)

Continued from 29 November 1988.

Mr BELL (MacDonnell): Mr Speaker, the opposition supports the bill.

Mr SETTER (Jingili): Mr Speaker, I certainly support the bill. I do not intend to take up much of the House's time. I simply want to say that this bill amends the Racing and Betting Act, as part of the package to which I referred when speaking to the previous bill. Once again, it is designed to combat organised crime. It also increases penalties severely and repeals various provisions which have been transferred to the Unlawful Betting Bill. Mr Speaker, with those few words 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.

ADJOURNMENT

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I move that the Assembly do now adjourn.

Mr EDE (Stuart): Mr Speaker, I would like to say a few words about the situation in relation to small high schools. Yesterday, when discussing the situation of Anzac Hill High School and Tennant Creek High School, the Minister for Education gave a classic example of avoidance and shifting the blame. He began his answer in question time by saying that a number of honourable members had expressed concerns about small high schools. He then went on to talk about problems with timetabling, teacher loads and confusion in relation to over-establishment staff. He consciously avoided the real concerns of people involved in small high schools. One of those concerns is that the formula laid down by his department does not meet the requirements of small high schools.

That basic fact makes a great deal of sense when one thinks about economies of scale. According to the formula, a teacher is allocated for every 15 students. That makes little sense in small high schools because teachers at that level are specialists in that they do not teach a whole range of subjects. Even if economies of scale may possibly work through the application of the formula in schools with 400 to 600 students, the formula does not work in schools with 300 students or less. The formula does not take into account the fact that the small high schools are still required, despite their size, to teach a broad range of curricula to fit in with the Junior Secondary Studies Certificate and, in some cases, matriculation. It is not good enough for a graduate of Anzac Hill High School or Tennant Creek High School to have to tell a potential employer: 'I am sorry. I only have half of my matriculation but I went to a small high school and that is all that was taught there'. That is ridiculous but that is the effect of what the minister is saying.

The fact is that the full range of subjects has to be taught no matter what the size of the school is. In some cases, that may mean that class sizes may be below those required by the quota. That is unfortunate and costs per

student may be higher but, in deciding to operate that school, those are the costs which apply. The minister cannot slavishly apply the formula to small high schools because the effect of doing so is to deprive their students of an adequate preparation for future employment.

The history of Anzac Hill High School in particular illustrates the problems faced by small schools. In 1987, the then Minister for Education, now the Attorney-General reduced teaching staff from 23 to 21, plus the principal and a Band 1 special education teacher, a total of 23, with overall numbers cut from 25 to 23. At that time, the minister said that he did not want a fight about staffing every year. Speaking to people associated with the school, he said that there would be no changes in staffing levels if they ensured that all school programs were maintained. In later correspondence, he stated the situation rather differently, but that is what he said when he attended the school. The member for Braitling knows that because his wife, who was the secretary at the school at that time, recorded the minister's words in the minutes. He said that he would not reduce the level of staffing if the school maintained all programs.

What were those involved supposed to make of what occurred afterwards, when the minister reduced the staffing level? Was the promise only current for the time that the member for Sanderson was the minister or was it simply an example of the credibility of ministers of this government? I am afraid that it can only be the second because there was no reduction in the student numbers. Numbers are still close to the maximum allowed at the school and it is disgusting that, when a minister says something, people cannot take his word for it. This year, the new minister reduced teaching staff by another 2. This was a complete abrogation of the promise made by the previous minister. The effect of that reduction was to remove the school librarian, who was required to teach maths. Unfortunately, the librarian was not qualified to do that. The result was what the school calls 'supervised maths.' Isn't that great, Mr Speaker? Isn't that a real pursuit of excellence in the essentials, giving our kids something which will really stand them in good stead in the future? Mathematics is no longer taught but simply supervised in what is virtually a homework class. That is the outrageous situation which the Minister for Education forced on that school after the previous minister had given a promise not to reduce staffing levels.

Does this government no longer believe in excellence? Does it no longer believe that students placed at the tender mercy of the honourable minister have a right to an excellent education, a right to gain the qualifications which will allow them to obtain employment or to enter university? Those students do not deserve to be blighted by being placed in a supervised - as distinct from a taught - mathematics class for a year. Does the minister believe that students can skip a year here and there and catch up later? As if all this were not bad enough, the physical education teacher at Anzac Hill High School had to be transferred to teaching science while the classes he had previously taught were left without any supervision.

The minister's comments in question time yesterday in relation to the review conducted by the department did not satisfy my concerns at all. There are a number of questions which the minister must answer. Firstly, why were the principal, the school council, the local branch of the Teachers Federation and the school staff given no opportunity to comment on the report before the minister made a decision regarding it? One would have thought that those people would have been consulted by the so-called experts from the department. One would have expected them to have the opportunity to make at least some input. But no, Mr Speaker. The minister said that the 2 departmental

officers had expertise in vertical timetabling. My understanding is that they themselves would not make that claim. Both people have worked with vertical timetabling but their expertise is in the area of staffing, which is quite clearly revealed by the tone of their recommendations, which the minister read out to this House.

The minister stated that he would maintain the mathematics teacher who was put back into the classroom after the staffing allocation was reduced by 2. He said then that he would supply one temporarily. When he spoke about that yesterday, I interjected: 'For how long?'. He replied that the school has the extra teacher. I want him to indicate how long it will have that teacher. His predecessor said that the school had 2 teachers and that they would remain for as long as the school maintained its programs. That promise was not kept. This honourable minister will not even make a promise. He will not tell us how long the school will have the teacher. How can it plan? How can the school prepare a timetable if it is not known whether some positions will be maintained only for a year, for 3 years or whatever? Can the minister guarantee that that teacher position will be there for as long as the school maintains its programs and its student numbers? That is what people need to know because they need the security to be able to plan.

Anzac Hill High School has an excellent reputation. It is well regarded in the Alice Springs community and its teachers are highly respected. They would have been as surprised as I was when the minister blatantly dismissed them in one of his off-the-cuff remarks, giving a clear implication that, for some reason or other, they were not doing enough work. That was quite an outrageous thing to say about those teachers. He failed to mention that the principal of the school now has no choice but to teach. Generally, a Band 4 teacher does not have to teach. In this case, the principal has no choice. He has to bear part of the teaching load because that is the only way the school can provide the necessary courses. If the requirements of the JSSC are to be fulfilled, he has to teach and that contradicts the statement made by the minister.

The minister failed to mention that it was only the restoration of the mathematics teacher, even though we do not know for how long, that would enable the school to overcome the problems which I outlined earlier. The minister also failed to mention that his own department's regional office had maintained an arbitrary student level of 247 at that school. It was told to take no more than 247 students. If it had 3 more students, that would bring the total to 250. Under the minister's formula, that would entitle it to another teacher.

Mr Tuxworth: We have the same problem in Tennant.

Mr EDE: Isn't it ridiculous?

Mr Tuxworth: It is a joke!

Mr EDE: There would be no trouble in finding those 3 additional students. Anzac Hill High School is always full. Students are always trying to get into it but the school has been told that it may enrol no more than 247.

Mr Harris: Alice Springs High School, come on.

Mr EDE: Are you saying that, if Alice Springs High lost 3 students, it would lose a teacher?

Mr Harris: No.

Mr EDE: No, it would not, would it?

Mr Harris: There are plenty at Alice Springs High School.

Mr EDE: The problem is that the minister knows that, if he allowed Anzac Hill High School to have 3 more students, under his formula it would be entitled to another teacher. The number of students in the school is being kept down artificially so that he can save a teacher position even though he knows full well - yes, walk away - that the number of teachers to which the school is entitled under the formula is completely inadequate to maintain a system which will allow children to obtain the JSSC.

In summary, the real problem is the staffing formula. It is the problem at Anzac Hill High School and I believe it is the major problem in Tennant Creek High School. The formula does not take into account the necessity to teach a wide range of subjects, nor the necessity to teach the requirements of the JSSC. It does not take into account the requirements of the school community. The minister has to put an end to this situation. We cannot afford to find ourselves in the same situation every year where, instead of settling down and moving smoothly into the school year, teachers and children are embroiled in a massive argument about the number of teachers which the school should have. All the minister has to do is adhere to the commitment made by his predecessor. If he does that, school communities can plan. If he fails to do that, he will throw out the window his own credibility and the credibility of this government. The present situation is an impossible one.

Mr COULTER (Palmerston): Mr Deputy Speaker, I rise in tonight's adjournment debate to thank those honourable members who travelled as far south as Meyering's dairy, particularly the Leader of the Opposition who, I am sure, does not normally travel that far on his holidays. As a result of that trip, he was able to tell us all about that wonderful part of my electorate at the back of the Bees Creek area on the Elizabeth River which is, in fact, the southernmost boundary of my electorate. For the information of honourable members, particularly the member for Barkly and the member for Koolpinyah, I would like to give some details about the road which has been the subject of so much attention. In doing so, I will give honourable members a picture of development in the Northern Territory as it occurred in the 1960s, in the hope that we can get back to that type of mentality one day.

Members interjecting.

Mr COULTER: In fact, the road was funded by the Northern Territory Administration at the time, but I will come to that in a moment.

Mr Speaker, Rupert Kentish, for whom I had a great deal of time, was a great Territorian. He could tell some great stories and he was a great risk-taker as well. In fact, he brought the first milk-bottling plant into the Northern Territory. I cannot remember exactly when he did that but I once wrote an article about it in the Litchfield Times.

Mrs Padgham-Purich: You did?

Mr COULTER: When I first started writing 'The Berrimah Line'. It goes back some 4 or 5 years now.

Mrs Padgham-Purich: I thought your press officer wrote it.

Mr COULTER: I did. I generally write those articles myself except on the occasions when, after I have come up with a theme, some of the details are filled in by someone else.

In the 1960s, Rupert Kentish became involved in the construction of the access road, along with Ralph Meyering and another wonderful Territorian who has been a great personal friend of mine for some time, Joe van der Meulen. In fact, Joe and Flo managed the dairy property on the Meyering block. Their son is now 29 years of age and they remember quite vividly what it was like living on the block with a 1-year-old child some 28 years ago when the first efforts were made to obtain an access road. I asked Joe to detail some of the circumstances surrounding the development of the road and the dairy cattle property at that time. This is the story of those events some 28 years ago as told to me by Joe van der Meulen.

The road was made in June or July 1960 by the Department of Works or the Northern Territory Administration. The first application for an access road to the Meyering block was refused by the Northern Territory Administration. The reason was lack of funds and the fact that it would cross the Herbert brothers' land. Honourable members would be aware that the Herbert brothers owned Koolpinyah Station in those days and that Koolpinyah Station, as it does today, crossed the Stuart Highway to the west.

When the Herbert Brothers heard that the application of July 1960 was not to proceed because their agreement had not been obtained, they immediately gave their permission. A letter was sent to the Minister for Territories, then Paul Hasluck, and it brought immediate results. The Herbert brothers said: 'We have to get on with it. You can put the road across our land'. That was conveyed to the Northern Territory Administration and Paul Hasluck, who was a great man, said: 'Yes, let's go immediately. We are in business'.

The Director of the Department of Works - whose name, I think, was Redwood - became annoyed that the minister had been approached without his knowledge. Nothing has changed, Mr Speaker. They had gone direct to the minister and the Department of Works man in the Northern Territory was pretty annoyed that they had done that without his knowledge.

Mrs Padgham-Purich: What was his name?

Mr COULTER: I think it was Redwood or it might have been Redmond.

A member: Redmond.

Mr COULTER: Redmond was annoyed. Nevertheless, the road was made smartly by the grader driver whose name, I think, was Colin Siganto. The scraper driver was Keith or 'Snowy' Troy. Keith Farris did the crossing over the water supply line and the shovel work was done by Ralph Meyering and Joe van der Meulen. It was a really good combination of do-it-yourself, get-out-there and have-a-go. The Meyerings brought the shovels along. They were running the old banjo alongside the other operators. A special bridge had to be constructed over a stormwater drain running parallel to the Stuart Highway. The bridge was made by the Department of Works. Siganto and Troy were government employees and Farris was a subcontractor for the Northern Territory Administration.

Joe van der Meulen personally spoke to Evatt Herbert on many occasions. These are Joe's own words: 'When I told him that we had our cows grazing on his land, his retort was: "Do whatever you like, Joe, we are mates"'. That

is exactly the type of attitude that prevailed in those days. I hear a bit of mirth from the Leader of the Opposition and the member for Barkly but I am sure that they appreciate the attitude which prevailed during those times and what sort of reflection it casts on the recent debate in this Assembly.

When the Trezise block was fenced by Sid Tulley for the Herbert brothers, they paid for the gate across the road as they regarded it as a government road even though I believe it was never gazetted. Laurence Ah Toy, who has been the owner manager of that property since the Herbert brothers passed away, also has never objected to it. When Paul Hasluck became Governor-General, he and his wife, according to Joe, inspected the Meyering dairy.

Mr Smith: Which is more than you did.

Mr COULTER: Mr Speaker, I was at the Meyering dairy some 5 or 6 years before the Leader of the Opposition was even aware of its existence. In fact, in 1984, I was given the first graft and corruption in my political life - and probably the last - by the Fitzgeralds. I was given a slice of veal. The Administrator visited the dairy on many occasions. I do not want the Leader of the Opposition - this new agriculturalist, dairy farmer and primary producer - telling me where the Meyering dairy is or where the Fitzgeralds are or what hard times they have had.

The point I am trying to make is that a Governor-General, Paul Hasluck, travelled along the road which has been the subject of debate during these sittings. A holder of the highest office in the country has driven over the road in question. He was pleased to grant permission for the construction of the road whilst he was Minister for Territories.

Evatt Herbert was a true Territorian. He was one of those who really wanted to get things going in the Northern Territory. The Herberts used to lend horses for racing carnivals during the war. I have some of the form guides for those race meetings and they are great reading indeed. The Herbert brothers were great men and Evatt's retort, 'Do whatever you like, Joe, we are mates', sums up their philosophy. It seems that the reverse applies today. We have become bogged down in esoteric law, technicalities and disputes such as the one which is currently occurring in relation to the access road. That is a shame for the Territory and a shame for development. We need to recapture and rekindle the spirit of the Herbert brothers, the Joe van der Meulens and the Ralph Meyerings of the world and the way they went about development in the Northern Territory.

Mrs Padgham-Purich: The other chap is your constituent as well.

Mr COULTER: He is not a constituent of mine. If you are talking about Joe van der Meulen, he lives on the other side of McMillans Road in the member for Ludmilla's electorate.

Mrs Padgham-Purich: Not Joe.

Mr COULTER: Ralph Meyering?

Mrs Padgham-Purich: The person who owns section 2070.

Mr COULTER: That is correct. He lives in Secrett Road.

Whilst we are talking about roads, the member for Koolpinyah made great play about providing electricity to a subdivision at the rear of the Henry and Walker subdivision off Bees Creek Road at the top of Gulnare Road. It may have been off Lovelock Road. Once again, as the minister responsible for the Power and Water Authority, it was I who resolved that issue which had been going on for over 4 years. Those people were particularly pleased about my efforts.

The Leader of the Opposition said that it is a pity that I did not help the Fitzgeralds. I will mention some of the help which I provided to the Fitzgeralds. I did everything in my power. In fact, for the benefit of honourable members and for the confusion of Hansard staff, I indicate that there is a powerline which travels across the block in question, the Adelaide River feeder line. I arranged for culverts to be placed along the easement so that access could be provided to the Meyering property. Unfortunately, more cost was involved when the culverts were washed away during this wet season.

Mr Speaker, I would like to know the date when the Leader of the Opposition became a born-again champion of primary production and the dairy industry in the Territory. Let him tell us when he first set foot on the Meyering property. I think we will find that it was late in January. He is a very recent convert indeed.

Mr Smith: It was 2 weeks after they rang me.

Mr COULTER: Mr Speaker, I am really countering the criticism which I received yesterday in terms of my role as the local member for the area. It was I who suggested that we could air freight the milk out by helicopter if that became necessary. That was the extreme to which I was prepared to go to get the milk to market. That is the sort of action that I was prepared to take to help a Territory battler to get his product to the marketplace. Shame on all those recent converts from whom we have heard in this debate. They are playing politics. They do not care about the Fitzgeralds. They are using the opportunity to promote themselves.

The Minister for Transport and Works has put considerable time into the development of a strategy involving alternative routes. He has supplied information and details to me for the provision of an access road by utilising those areas to which I have access, such as the power easement. Much work has gone on behind the scenes without the politicking. This includes the use of helicopters to take the milk to market. As the local member, I have made a genuine effort to solve the problem without politicking.

In conclusion, may I reiterate what Evatt Herbert said to Joe van der Meulen some 28 years ago, in the hope that we can return to that type of atmosphere and that type of attitude to development in the Northern Territory: 'Do whatever you like, Joe, we are mates.'

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I was very interested to hear what the minister said about the Fitzgerald situation. It seems that there has been a lack of communication between him and the Fitzgeralds. I have known the Fitzgeralds a bit longer than he has and it is not often that they have mentioned the work that he has done. I am not saying that he has not done some work for them, but there has certainly been a lack of communication. I am very pleased to hear that the problem of the Fitzgeralds' access to the Stuart Highway so that they can market their milk has been solved. I hope that the continuation of the wet season does not delay the works any longer than necessary. The shame is that it has taken so long. It

seems that the general policy of the government is to chase big business and to forget about small business. The small business people themselves tell us that the government does not appear to have their interests at heart. This is only one case.

It is all very well for the minister to be talking about everybody being mates. That is fine and I only wish that the same situation existed today. Unfortunately, in many cases, it does not. If the minister would like to continue along that line, perhaps in consultation with the Minister for Transport and Works, we could return to the old days. If the Fitzgeralds had wanted the same access 20 years ago, they would probably have known somebody who worked in the Department of Works. He would have dumped a load of gravel or a load of rock or used his dozer or some other heavy machinery to put the road in for them. In return, the Fitzgeralds might have dropped off a calf for his next barbecue. Unfortunately, those days are gone.

Many years ago, people availed themselves of the services of the Department of Works, or Transport and Works as it is now. Perhaps a grader would be in the area when somebody needed a firebreak cut. There was nothing illegal about it. It was using public resources which might otherwise have stood idle. It is all very well for the member for Palmerston to come out with these nice ideas to make us feel warm inside but I think that a little less officiousness in the interface between the bureaucracy and the community might help as well.

I was very pleased to hear the minister responsible for the Racing, Gaming and Liquor Commission, in answer to a question from the member for Barkly this morning, foreshadow changes in the conduct of certain public shows on licensed premises. It is certainly not before time. I am sorry that this government has taken so long to act. The ball has been in its court all the time. I am referring to the undesirable and unsavoury strip shows which have been conducted on licensed premises for some time, to such an extent that I receive frequent telephone calls, mostly from women although some men have also phoned me, wanting something done about the situation to restore some common sense and decency. I know that people have also written letters to the newspapers and have no doubt contacted other members. It has been very interesting to hear the members for Ludmilla and Nightcliff presenting petitions asking the Assembly to look at the termination of undesirable strip shows on licensed premises. I am waiting to see whether those members will rise to speak in support of those petitions.

Mr Speaker, I recently attended a public meeting on this subject. The meeting was called by the Women's Information Centre at Casuarina and was attended by over 100 people. If I had been asked beforehand to predict who would be in attendance, I would have said that there would be ladies from both extremes - ladies who are rather conservative and ladies who have very strong feminist views. I was very surprised, however, to find that, as well as women of those 2 opposing viewpoints, most of the people at the meeting - including a few men - were ordinary people who were very concerned about the lowering of moral standards in the community, as evidenced by strip shows and other shows on licensed premises being on public view to all and sundry, including children.

Mr Setter: That is totally wrong.

Mrs PADGHAM-PURICH: Are you saying that those people were not at the meeting?

Mr Setter: No, I was referring to your remark that the shows are on public view to children.

Mrs PADGHAM-PURICH: Mr Speaker, the member for Jingili interjects and says that the shows are not on view to children. I am not talking about children of 4 or 5. I mean older children who, nevertheless, are under age.

Mr Setter: They are not supposed to be on licensed premises if they are under the age of 18.

Mrs PADGHAM-PURICH: I know that they are not supposed to be there, but I will hazard a guess as to what occurs. I know that such children were present at a very well-publicised strip show in Tennant Creek and I would hazard a guess that under-aged people would have been in attendance at all strip shows on licensed premises. I have no proof of that and I know that the licensee is not supposed to allow those people on the premises, but I would say that they would be there.

Mr Bell: I can give you some proof that it happened in Tennant Creek.

Mrs PADGHAM-PURICH: I know. I have also been telephoned about that.

Mr Speaker, I am not against strip shows or the associated pornography but there is a time and a place for everything. The staging of these shows at licensed establishments in the situations which have occurred is completely undesirable. I have been told by several senior police officers that no state in Australia would condone such shows.

The honourable minister said this morning that the Racing, Gaming and Liquor Commission has the power under section 67 of the Liquor Act to publish guidelines to assist licensees. I believe that the commission should long since have responded to the views of people making objections, and taken action under section 67. The minister said that he will come back to the Assembly and introduce changes to regulations. That is a little confusing because, as the honourable minister would know, changes to regulations go before the Subordinate Legislation and Tabled Papers Committee whose report is presented to the Assembly. Strictly speaking, he does not introduce the regulations here. He also said that he intends to introduce amendments to the Liquor Act. Whilst I commend the honourable minister for the changes that are about to occur in terms of tightening the conduct of licensed establishments, I would like the confusion cleared up as to whether he will do that under current legislation, new regulations or amendments to the Liquor Act.

I believe that the situation has gone from bad to worse. Whilst I said earlier that there is a place for strip shows, I do not believe that place is in hotels. However, we have not only been made aware of the strip shows in hotels. We have also been made aware, particularly through the print media, of certain forms of entertainment in night clubs. Whilst the night club owners disclaimed any desire to offend the community, unless one was blind in one eye and could not see out of the other, their advertisements left one in no doubt as to what would occur in those nightclubs.

The strip shows and other shows have now degenerated even further. I thought things were bad enough when, last year, I stopped a women's wrestling match from taking place at the Nightcliff Hotel. It was supposed to take place in simulated used condoms. The newspaper said that that event had the blessing of the Northern Territory AIDS Council and I believe the Minister for Health and Community Services also spoke in favour of it. To my way of

thinking, that sort of show is completely nauseous, degrading and sickening and I was very pleased when it did not proceed. No one was in any doubt as to the grossly suggestive nature of the event and, if its aim was to stop us getting AIDS, perhaps we would not get head colds if we had wrestling matches in used Kleenex tissues.

The latest abomination in this mire of depravity was the intention of the same hotel to stage what was publicised as a baby-throwing competition. I know that other honourable members were contacted about this. Whilst everybody knew that real babies would not be thrown around - dolls were to be used to simulate real babies - one does not have to be Einstein to realise that no decent woman would go along to a show like that. It would be attended by men and no doubt they would have a few sherbets while they were there and some would go home three sheets in the wind. It is not unlikely that some of them would be fathers of small babies and, if a baby was crying during the night, it is quite possible that a man who was slightly drunk and had seen such a show might be influenced to do some damage.

It is becoming more and more apparent that there is a need for the government to show some leadership in trying to raise the moral standards of the community. I do not believe that it should try to turn us all into narrow-minded wowsers. I am talking about the lowering of ordinary moral standards. I believe that the government has to show a lead. It is quite apparent that, with the proliferation of these shows, there has been an increased number of assaults on women in the community, as evidenced by a very serious case of bodily assault on a young woman in Alice Springs recently. It is not valid to argue that she should not have gone walking across the bridge at night or during the early hours of the morning. She should have been able to have the reasonable expectation of arriving at her destination unmolested. The time has come for us to consider the welfare of everybody in the community, as people go about their normal business. This should apply in particular to the welfare of women and their position in the community. If these shows are allowed to continue, I can see the position of women deteriorating, to the gross detriment of the community.

Mr SETTER (Jingili): Mr Deputy Speaker, I want to comment on several matters this evening, the first being that of the air-conditioning of preschools. I am sure that all honourable members will recall that I asked the Minister for Education a question this morning regarding the air-conditioning of preschools. The honourable minister advised the House that advice had been sent to some preschools inviting them to submit proposals for air-conditioning. I would like to thank the minister for agreeing to proceed with the air-conditioning of those preschools because there is no doubt in my mind that a considerable need exists in a number of cases. I note that the honourable minister went to some length to point out that there are some preschools which would prefer not to have air-conditioning. I accept that, but there are quite a number that would dearly like to have it. I would like to thank the minister and the Department of Education for agreeing to those very worthwhile and well-justified requests.

Another matter I wish to touch on tonight is supermarket trading in liquor products on Sundays. You would recall, Mr Deputy Speaker, that this issue has been raised in this place from time to time. On one occasion last year, I presented a petition containing 6000 signatures from citizens of the Northern Territory requesting that supermarkets be permitted to trade in alcoholic products on Sundays.

This matter has been debated at some length in the public arena and within government ranks. Last year, the minister announced that the licensing fee for supermarkets would be progressively reduced over the following couple of years to the level of that currently applying to hoteliers. I compliment the minister for making that announcement because I think that supermarkets and their customers have been suffering for too long because of the considerable difference in licensing fees between the 2 types of establishment. Customers have had to pay more for their alcohol than they should have. Whilst hotels should be more competitive than supermarkets in respect of liquor prices, that is often not the case in relation to takeaway sales.

Whilst I appreciate what the minister has done in respect of the progressive reduction in licensing fees, I note that the issue of Sunday trading appears to have been taken off the burner for a while. I want to advise this House that this is not the case as far as I am concerned in my capacity as the local member for Jingili. I believe that the matter is an issue in the electorate generally. The 6000 signatures on the petition bear witness to that. It is certainly an issue in my electorate and I have confirmed that after speaking to a number of my constituents. I believe this is an important issue and I will continue to lobby for the introduction of Sunday trading for supermarkets in alcoholic products.

Another matter that I would like to raise this evening is that of the recent visit to the Northern Territory of the Pacific Area Travel Association. A committee of this group was in the Northern Territory several weeks ago at the invitation of the Darwin Tourist Promotion Association and, whilst here, it undertook a survey of tourism attractions in the Territory. I believe the survey involved the Territory as a whole. Perhaps the minister might clarify that point. One would expect that it might have been restricted to the Top End because the invitation was from the Darwin Tourist Promotion Association. However, I believe it was wider.

Towards the end of the group's visit, I attended a breakfast at which various members gave an interim assessment of their visit. I was very impressed with what was said, as well as with the fact that some 200 people attended that breakfast. I cannot recall being at such a well-attended breakfast previously in Darwin. Mr Deputy Speaker, I am sure that you would appreciate how difficult it is to persuade people to attend a breakfast. At that time of day, most people are busy getting off to work and so forth. The fact that 200 people attended that breakfast impressed me greatly. Another impressive factor was that the interim report presented by various members of that committee was very constructive indeed. The committee comprised some members from overseas. One gentleman was from Japan and another was from the United States. Several other members of the group were involved in the tourism and hospitality industry in interstate capital cities.

The chairman of the group was Mr Jim Kennedy who gave a resume of the various places the group had visited and foreshadowed some of the recommendations which will be presented in a written report which will appear within the next few weeks. I would like to compliment Mr Kennedy and his group, as well as the Darwin Tourist Promotion Association and Mrs Penny Tastula and Mr Michael Anthony, who were very heavily involved, along with everyone else who played a part. I think the Tourist Commission played a major role in bringing those people to the Territory.

Mr Poole: The Tourist Commission promoted it. It organised it.

Mr SETTER: The minister has pointed out that the Tourist Commission organised the program and, I understand, escorted the group to the various parts of the Northern Territory which it visited. I thought it was a very worthwhile exercise. Again, I would like to compliment those involved. I await the group's final report with interest.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I rise this afternoon to raise the issue of the Devil's Pebbles and to make a plea to the Minister for Mines and Energy not to wash his hands of the situation but to become involved in it because I believe the dispute at the Devil's Pebbles is quite pointless. There is nothing to be gained for the Northern Territory in continuing it, either inside or outside the court. It is a situation that I believe could be resolved if the Minister for Mines and Energy was prepared to use his good offices to intervene.

I would like to give the Minister for Mines and Energy my recollection of the circumstances surrounding the present dispute, as they have been put to me. I commence with the fact that, in 1980, as was pointed out this morning, the townspeople endeavoured to move one of the pebbles into Peko Park as a monument to complement the beauty of the park. The determination and the opposition of the Aboriginal community ultimately resulted in the pebble being returned. I must say that the townspeople were quite bemused by the whole performance. Given that the Devil's Pebbles is about 23 km² in area and that there must be about 30 000 rocks lying on the ground, their view was that shifting a single rock a distance of 11 km seemed not to be a terribly serious breach of Aboriginal belief.

In any case, as a result of the goodwill between the 2 communities, the pebble was ultimately returned to the site. I believe it was later in that same year that evidence was given to Justice Maurice during the Warumungu Land Claim hearing to the effect that Mount Samuel and other sites, as well as the Devil's Pebbles, were sites of significance to Aboriginal people even though they had not been declared as sacred sites. Without any doubt, if the Aboriginal Sacred Sites Protection Authority wanted to have the sites declared, there would be sufficient anthropological evidence to justify declaration. That process, however, was never carried out.

As the honourable member mentioned this morning, very little notice was taken of the Devil's Pebbles until last year when Mr Frankenfeld applied to mine or extract from the pebbles for the purpose of selling black granite to the Italian market. That would be a good thing because it is hard to imagine that the pebbles would have any other commercial use, apart from tourism. Such activity may stimulate a little export industry for our town which would not only be of local benefit but would be of benefit also to the Australian balance of payments.

In the course of processing Mr Frankenfeld's application, a meeting was convened. I believe that officers of the Department of Mines and Energy attended the meeting which also involved the Central Land Council, the Aboriginal Sacred Sites Protection Authority and the Frankenfeld interest. At that meeting, which was held in October or November, it was agreed by the parties that a report would be prepared following discussions with the sacred site owners about the possibility of extracting minerals from the area. That report was to be delivered by 17 January. In the meantime, the contractor was authorised to move onto the site and to begin his work. This is where either poor communication or dubious intent enters the equation. I think it is probably more a case of poor communication than anything else.

The contractor arrived on the site and immediately found himself in conflict with the Aboriginal women of our community who believed that the site was sacred and that they had not been consulted, in the final analysis, about the proposal to mine. We know the rest of the story. The situation has been inflamed to such an extent that the parties are now envisaging a pretty serious court case. Ultimately, in the usual course of these matters, that will cost the taxpayers a great deal of money. It may even lead to the mining of the area, with consequent great discontent among the Aboriginal community. It might even result in no mining occurring, and that would also be unfortunate.

During the week, I had the opportunity to sit down with the ladies concerned and discuss what I think is really the crux of the problem. I would like to say to the minister that we are not talking about radical people who are jumping up and down about land rights and making unreasonable demands because there is some gain in it for them. The people to whom I am referring are well-respected Aboriginal ladies in the Tennant Creek community, most of whom I have known all my life. The last thing I could imagine them being involved in was the sit-in at the Devil's Pebbles. When I sat down and talked to them, their main complaint was not about the mining but simply that no one had talked to them. I put it to them that their position was pretty unreasonable because, as a consequence of their demand that no mining should proceed, an innocent party was suffering financial distress. He was performing a job which he thought the government had licensed him to carry out. He was not a party to the fact that consultations or discussions between the company, the government and the Aboriginal Sacred Sites Protection Authority had not been concluded. He was simply a contractor for Frankenfeld and, as such, was working on his own behalf. The ladies said that they did not want to hurt this man. That was not their intention. They said that, if that was what was happening, they might be prepared to consider allowing him to mine a little. That immediately indicated that they were not totally opposed to mining at all, and that we could get back to the proposition of discussing exactly which leases could be mined, how and when.

Mr Deputy Speaker, I can understand that it is convenient for the minister to stand back and let them slug it out in the marketplace, but I would say to him that, as far as I can see, there is no need for the conflict. No one is particularly looking for it, although 1 or 2 of the parties might have an axe to grind. Certainly, the Tennant Creek people are not looking for the conflict and, if the minister were prepared to use his office and negotiating capacity, I am sure it would be possible to take the Devil's Pebbles issue right out of the court arena and resolve it around a table. If the minister does not believe that or does not want to give it a try, that is a pity. I put to him, however, that there is enough goodwill, at least in the Tennant Creek community, for that to happen.

I have spoken to the contractor and the Perth principals of the company involved. They would like to see the resolution of the problem. They are not interested in a fight and court cases. Their job is excavation and export, and that is all they want to be involved in. The Aboriginal people tell me that they simply want to be consulted. If it is true that the Aboriginal people have not been consulted, even though the site has been recognised if not actually declared ...

Mr Coulter: It has been registered as a sacred site, hasn't it?

Mr TUXWORTH: It may well be registered today. Nevertheless, the fact remains that, in 1980, sufficient evidence was provided to the commissioner

hearing the Warumungu Land Claim to justify, in his view, the establishment of a site if that were necessary.

Mr Coulter: You know which body is charged with negotiating with Aboriginal people as well as I do.

Mr TUXWORTH: The process of declaring the site may never have proceeded, but it is quite obvious that it could have proceeded at any time, which has happened.

Mr Coulter: Why didn't they? Why wait for 9 years?

Mr TUXWORTH: Mr Deputy Speaker, maybe there was no reason to ever do it. What was obvious to everybody was that, if we wanted to do anything with the Devil's Pebbles - and certainly the townspeople appreciated this - somebody would have to sit down at some stage and communicate with the traditional owners.

Mr Coulter: That is the Central Land Council. It represents Aboriginal interests.

Mr TUXWORTH: Mr Deputy Speaker, the Central Land Council would say that a meeting was held and it undertook to get back to government with a report by 17 January, a deadline it was happy to meet. Before it got that report back, the application for the contractor to proceed was approved and he moved onto the site.

We can go over the history of the issue all night, but my plea to the minister is that he sit down with the parties and try to resolve something around the table before it goes to court.

Mr Coulter: The matter is before the court now.

Mr TUXWORTH: Mr Deputy Speaker, that does not prevent a negotiated resolution to the problem if the minister is interested in seeking one. I have my answer though. The minister is not interested in seeking it and that is a pity because I think he is the one man who could probably convene a meeting of the parties and achieve a satisfactory result.

Mr Coulter: That is not what Bob Ellis says.

Mr TUXWORTH: I am not apportioning blame to anybody. As I said earlier, I think the problem is one of a lack of communication.

Mr Coulter: Oh, rubbish. I will give you the meeting dates, the times, the number of people who were there and what was said.

Mr TUXWORTH: Mr Deputy Speaker, I would appreciate receiving that information from the minister because, if what I am saying is rubbish, many people have been misled and misrepresented.

Mr Coulter: That is true.

Mr TUXWORTH: If that is the case, it would be very helpful to have evidence to substantiate it.

Mr Coulter: That will be put before the courts in a matter of a week.

Mr TUXWORTH: Mr Deputy Speaker, I say to the minister that I think it is regrettable that issues like this have to be resolved in such a way. It will not be resolved in court. The dispute will proceed to the point that nothing will ever happen with the Devil's Pebbles and that will be a pity. The area offers the opportunity for a nice little extractive proposition which would create jobs and export income for our country.

Mr Coulter: That is what we need - Aboriginal employment.

Mr TUXWORTH: The minister obviously knows what we need but is not prepared to give it a shot. That is regrettable. Last night ...

Mr Coulter: Bob Ellis does not want me there.

Mr TUXWORTH: I can only appeal to him, Mr Deputy Speaker. Last night, it was impossible to solve the Fitzgeralds' problem. We were told: 'We have tried everything. Give us a fix'. In 12 hours, we were able to provide a fix. Perhaps if we give the minister 12 hours, something will come to him overnight and we will obtain a fix.

Mr Coulter: Absolutely wrong.

Mr TUXWORTH: I ask him to consider that seriously.

Mr Coulter: I certainly will. I will sleep on it.

Mr HARRIS (Education): Mr Deputy Speaker, this evening the member for Stuart decided once again to introduce a whole series of wrong figures and misinformation. He used the scare tactics which I am becoming rather used to. As I have said on a previous occasion, he is the expert at the 30-second grab. I refer specifically to the figure of 247 which the member for Stuart gave as the student enrolment at the Anzac Hill High School. I wish to correct the record. The school's enrolment is 235, which means that a considerable number of additional students would be required to reach the figure of 250 which the honourable member said would entitle the school to an additional teacher. The member for Stuart, the opposition spokesman on education, has simply thrown a figure into the ring.

I have said in this Assembly on previous occasions that there are concerns in relation to the staffing of small schools. I have never denied that. We should remember, however, that the overall staffing for these small high schools - and I am talking about Tennant Creek High School and Anzac Hill High School - makes them the best-staffed small high schools in Australia. Let us start from there. There is no need for the scare tactics used by the opposition's so-called spokesman on education. The choice of courses in those schools is better than in schools of comparable size anywhere else in Australia. The member for Stuart should have looked at what courses were available at those schools before he made his outlandish statements tonight. Of course, the opportunities available to students at the small schools will not be equal to those at, say, Casuarina. Similarly, the Northern Territory University will not be able to offer courses that are equal to or similar to courses available at the University of Queensland but, with population growth, we will be able to build. Change will occur and more opportunities will be made available for the students in those smaller areas.

I am talking about providing additional staff above the formula. We should not be using words such as 'shortage' and 'cuts' and all of this nonsense because we are talking about additional staff, not taking staff away.

The member for Stuart also referred to the former Minister for Education making promises in relation to staffing. When the member for Sanderson was Minister for Education, he allocated over-establishment staff to Anzac Hill High School. Honourable members should remember that we are talking about 1987 when the school was first established. When we talk about over-establishment staff, we refer to staff employed for developmental purposes in the initial establishment period of a school. With Anzac Hill High School going through that stage, we left the additional staff there to undertake teaching duties. However, once all programs had been put in place, that over-establishment staff person was to be removed. I wrote to the Chairman of the Anzac High School Council, Miss Carol Frost ...

Mr Collins: Mrs Carol Frost.

Mr HARRIS: I wrote to Mrs Carol Frost in December, and I quote from that letter:

Following an undertaking given to yourself in late 1987 by the then Minister for Education, it was agreed that the school staffing level should remain unaltered for 1988; that is, the school was permitted to retain its 4 over-entitlement teaching staff.

I am advised that the department's demographer has predicted an enrolment of 225 at the school in August 1989. This enrolment figure excludes the 10 students enrolled in the school's special unit, which is staffed separately outside the formula. Based on this projected enrolment figure, the school's staffing allocation for the beginning of 1989 will be 13 Band 1, that is 1 over-entitlement; 5 Band 2, 2 over-entitlement; 1 Band 3 and 1 Band 4, making a total of 20. In addition, the school will retain the special education teacher for its special units.

Mr Deputy Speaker, there was also correspondence from the former minister to the council in relation to the fact that the over-entitlement staff provided for the establishment period would be withdrawn. At that time, the school would have to move back to the normal formula and would be required to justify any special needs. At the moment, Anzac Hill High School has 3 staff over-establishment to allow for adjustment.

The member for Stuart raised the issue of the report on the staffing situation at Anzac Hill High School and Tennant Creek High School. He said that I had not made information available to members and was misleading people. What a load of nonsense! Under the Teaching Service Act, the Secretary of the Department of Education is responsible for the deployment of staff. That is a fact, and the report was prepared for the secretary who makes the decisions in relation to the staffing of schools in the Northern Territory. He is responsible and he is accountable for ensuring that staff are deployed in the correct manner. He directed that a report be prepared in response to the concerns which had been expressed in relation to the staffing situation at the 2 schools.

It was not a matter in which everyone was to become involved. It was not a matter for the principal, the Northern Territory Teachers Federation and everyone else. I might say that the chairman of that particular council, Mrs Frost, has viewed that report. At this stage, I have not looked at it. The answers that I gave in this Assembly were a rundown on what we were doing, and I was not giving details of the report. I want to make that very clear because, once again, the member for Stuart is spreading misinformation and

trying to indicate that I should be doing that. I emphasise again that we are not talking about staff shortages; we are talking about pluses.

The member for Stuart stated that the departmental officers whom I sent to Anzac Hill High School had no expertise in vertical timetabling. He really does not know what he is talking about and is not across his subject. One officer was the Superintendent of Staffing who is responsible for staffing in all schools in the Northern Territory and is most experienced in timetabling and the staffing of high schools. He is the former principal of both Taminmin and Nightcliff High Schools. He was assisted by the Assistant Principal of Sanderson High School. We all know that Sanderson is the most experienced school in relation to vertical timetabling and, when Sanderson set that timetable in place, it looked at the arrangement in schools throughout Australia. The member for Stuart, however, says that this person has no expertise in vertical timetabling. The honourable member keeps making these 30-second grabs to scare people and it is most unfortunate. He should be condemned for that activity.

Mr Deputy Speaker, our formula is flexible and caters for the problems which we sometimes experience in smaller towns and communities. I emphasise that, for special needs, we provide staff who are over-establishment and, where there is a problem, we look at that problem. In respect of small high schools, our staffing position is the best in Australia and that needs to be emphasised.

The member for Stuart also raised the issue of the principal of Anzac Hill High School having to undertake classroom teaching duties. At present, he is teaching 5 periods out of 32. Leaving aside the extra person who is there for this term, there is unused capacity of 1.7 teaching load. There is still that extra capacity there. The member also asked how long the maths teacher was to be retained. I understand that the principal of the school will shortly be advised of the situation and, if he requires further assistance, that assistance will be given to him.

The member for Stuart inferred that I was having a go at the teachers at Anzac Hill High School. It is a fact that their teaching loads were not at the required level. That is a fact, not a criticism of the teachers. Staffing capacity was not being fully utilised. I mentioned the Tennant Creek High School the other day. The Band 1 teacher there was working at 80% on average and, at Anzac Hill High School, the Band 1 teacher was working at 69% on average.

I am surprised that the member for Stuart continues to throw out these grabs so that the media and other people pick them up. It appears that everything is negative and that this government is doing nothing. Mr Deputy Speaker, I can assure you that we will continue to look at all schools in a responsible manner. We will continue to do that and the member for Stuart stands condemned for continually raising these issues in a negative vein. I do not mind answering his questions or rising in debates to talk about the issues. However, when he raises matters which are not factually based, incorrectly claims that people are not expert in particular fields and inflates actual student numbers in schools, he stands condemned.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, I would like to begin my contribution to this adjournment debate by talking about the Fitzgeralds. As I said on radio this morning, Mr and Mrs Fitzgerald are ecstatic that a solution has been found to their problem. Their only question is: why did it take so long to find such a simple solution?

There have been 2 losers in the government in relation to this matter. The first is the Minister for Lands and Housing who, both in question time yesterday and in the adjournment debate, wrung his hands and said that a solution could not be found. Within 12 hours, he obviously had his butt kicked and a solution has been found. The other loser, quite clearly, is the Deputy Chief Minister and member for Palmerston who has not bothered to go down to see the Fitzgeralds since 1984, despite the fact that they have been plaguing everybody since August last year. In January this year, they became so desperate that they came to myself and the member for Barkly for assistance. Unfortunately, that only goes to confirm all the stories we have been hearing about the level of representation offered to the electors of Palmerston by the present member. I think it is fair to say that Palmerston is very high on the lists of both the Territory Nationals and the Labor Party for the next election because of the ineptitude of the present member.

Mr Deputy Speaker, I want to spend the major amount of my time in this debate on the matter of Myilly Point. More and more people are starting to ask how the government can give away, for a period of 10 years, the sole rights to the development of what is probably the best piece of real estate in the Northern Territory. That period, which we heard about this morning, was news to many people. They are now asking how the government could enter into such an arrangement with no way of ensuring that something will be built on Myilly Point within the 10 years.

To fully understand the Myilly Point situation, we need to go back to 1984 when, in a series of dramatic moves - and it must be said that Chief Minister Everingham was a master of the dramatic - the Country Liberal Party government acquired the Darwin and Alice Springs casinos against the wishes of the owner. Who could forget the 3 am press conference of Paul Everingham? The rationale at that stage was that the new operators would bring in the high-rollers and that there would be further significant developments on Myilly Point and, let us not forget, the Alice Springs golf course. Of course, the only result to date has been the loss of a considerable amount of gambling tax in the first 3 or 4 years after the change in ownership. We have also seen the subsequent resale of the Alice Springs casino. Meanwhile, nothing has occurred at Myilly Point.

In the initial flush of enthusiasm, something like \$2.7m was spent to acquire properties on Myilly Point and to knock down perfectly good houses to make way for the development which, we were led to believe, was imminent. Henry and Walker was encouraged to help buy out Federal Hotels with the offer of a sweetener in the form of development rights over Myilly Point for a period which everybody then thought to be 5 years. That looked okay for a while because a number of proposals were floated. These involved 400- and 600-room hotels and, one way or another, were released before they should have been, leading to the now infamous story about how one model ended up propping a door open in a government department.

Henry and Walker was given a 5-year option to erect a building on Myilly Point. If that building was erected, the then casino owners - the casino's ownership has changed again since - were under an obligation to take up casino space. That might have been fine in 1984 when the future seemed to have no limits. We had a promise of facilities within 5 years and development rights on the land for 5 years. Now, 4 years have gone and we have nothing at Myilly Point but bare earth. The problem is that the developer has gone off the development and it appears, from the minister's comments this morning, that the development rights have been extended to a period of 10 years in conjunction with the construction of the university.

Such an arrangement might even be forgivable if the site was unattractive and there was no competition. However, we know that, 9 months ago, Lord McAlpine made an application to carry out a development on Myilly Point. He was keen to build a resort hotel, something which Darwin obviously needs. I have spoken to one of his representatives and it is an exciting proposition indeed. His idea is to attract people to holiday in Darwin by erecting a first-class resort facility which would allow people to laze in our beautiful sun, swim in our beautiful surf in the dry months and generally enjoy themselves. The concept is completely different from the Sheraton concept, the Beaufort concept and the Gardens Hill concept. I will also bet that it is completely different from the concept that Henry and Walker might propose if it ever gets around to it.

Lord McAlpine did not even get to first base. He was told that Henry and Walker had first development rights over the property.

Mr Poole: And that he was next in line.

Mr SMITH: Yes, he was told that he was next in line but that, until Henry and Walker did something, he could not do anything. He was told that he should talk to Henry and Walker which, I understand, he did. Henry and Walker, however, was not interested. It was not interested in talking to Lord McAlpine who has a proven track record, particularly in Broome, who obviously had the money and who was prepared to invest. For reasons I do not understand, Henry and Walker was not interested.

We heard today that some Asian interests apparently are floating around the ridges. There was some Asian interest 4 or 5 years ago and that came to nothing. How much longer must we put up with no action on Myilly Point and no action from the government to force some action? For at least 10 months, the government has had a viable alternative available for the use of the land and, therefore, an opportunity to help put pressure on Henry and Walker to do something. It has done nothing. Why hasn't anything happened? Why hasn't the government either revoked Henry and Walker's development rights because of its inaction or pushed the developers together so that private money could be spent? Instead, the government preferred to stimulate the economy by spending \$100m on the useless State Square project - \$100m which will bring us no permanent, long-term jobs whatsoever. With a bit of wit from the government and a bit of will and determination, we could have had a \$56m development starting on Myilly Point that would have created a minimum of 300 to 400 permanent, long-term jobs. However, the government has no wit and no determination to do anything about the situation. Instead, it prefers to prop up the construction industry artificially by spending \$100m of taxpayers' money which will be repaid over the next 10 to 15 years.

Frankly, people in the community are beginning to ask what is going on in relation to Myilly Point. Why isn't there any action? People will continue to ask those questions for as long as the minister evades the issue, as he did this morning. He refused to answer the simple questions we put to him this morning. I will repeat them. For how long does Henry and Walker have exclusive rights over the Myilly Point property? What rights does the government have to force it into action to actually start something? What rights does the government have to take action against Henry and Walker if it does not start anything? Those are the 3 basic questions that need to be answered.

Myilly Point is a symptom of what has gone wrong with this government's thinking. Without doubt, Myilly Point is the prime piece of real estate in

Darwin. We have a developer who has expressed a willingness to invest money in its development but cannot even get to first base. This demonstrates the very real problems which exist with this government's concept of direct land sales. I accept that there may be a place for direct land sales, but not at the expense of development.

The government adopted the policy of direct land grants in order to stimulate development, to get things moving and to reward people who had good ideas in relation to particular blocks of land. In this case, the reverse applies. A bloke with the money and a proven track record wants to do something with the Myilly Point land. The government says that it made a prior agreement with somebody 4 or 5 years ago - somebody who has not turned a sod or even shown us any sketches of what he wants to do. Furthermore, the government cannot reveal how long that commitment is binding for.

Mr Deputy Speaker, that is the problem in this situation. I urge the government to get moving on Myilly Point. I advise the government that I have taken Myilly Point on as a personal mission. I will be pursuing the matter throughout this year to ensure that something happens. There is no better way of showing the people of the Northern Territory that the government is serious about future tourism development than by ensuring that something happens at Myilly Point. That is the message that I want to give this government.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I listened with interest this morning to the Minister for Mines and Energy's response to a question from the member for Sadadeen regarding the flood mitigation dam in Alice Springs. I was most pleased with the answer that he gave. He said that he was consulting fully with the traditional owners and I applaud that. However, I would like to draw to the minister's attention an article in the Centralian Advocate of 1 February which is headed, 'No Consultation On Mitigation Dam'. It was written by a Peter Blackwood of the Aboriginal Sacred Sites Protection Authority. I would like to read part of his comments because they give a completely different picture from what the minister was saying. I am not for a moment suggesting the minister is telling lies, but I would like to read these comments:

Work on the engineering investigations did begin in April. On the eve of the Anzac Day weekend, and without prior notice to custodians or this authority, bulldozers gouged two 3 m deep trenches at the spillway site. The fact is, there was no attempt to ascertain whether or not sacred sites would be affected by this work. Neither the Sacred Sites Authority nor the custodians were given prior notice of the works timing or location.

He goes on to say:

Clearly, the government had no intention of consulting with custodians, the Alice Springs Town Council or other sections of the community with a legitimate interest in flood mitigation. Custodians were deeply upset by the government's panzer tactics in dispatching bulldozers to the area associated with their religious practices.

Members interjecting.

Mr FLOREANI: This is fairly serious. I applauded the minister's answer to the question this morning. Listen for a moment:

The meeting also issued, for the second time since the Easter floods, an invitation to Mr Coulter to attend a properly convened meeting of custodians in Alice Springs to discuss the proposal directly. Mr Coulter has so far declined to respond to these invitations ...

The 'talks' which occurred between this meeting and the start of drilling 3 days later, consisted of an ultimatum by the government conveyed to only 2 of the 30-odd custodians. The government, they were told, did not accept the decisions of the meeting and intended to go ahead with drilling ...

Mr Deputy Speaker, I call on the minister to give a guarantee that proper consultation will take place with the traditional owners and/or that he will investigate Mr Peter Blackwood's comments. The Aboriginal Sacred Sites Protection Authority comes under a Northern Territory act and I believe that the gentleman should be reprimanded if his comments are incorrect. I ask the minister to investigate the comments and, if they are incorrect, to take appropriate action against an employee of the Northern Territory government.

Mr COLLINS (Sadadeen): Mr Speaker, I was delighted with the answers from the honourable minister this morning regarding the Telegraph Station dam wall. After some 8 years of pushing that particular barrow, I am delighted with the government's resolve. We look as though we are getting somewhere. I have urged the custodians of the site to deal with the government in good faith and, in the same way, I advise the government to deal with them in good faith. They have some legitimate interests and the government should look to protect them. I am sure that those interests can be accommodated whilst building a wall to protect the town.

Mr Speaker, at the Alice Springs Show about 8 years ago, Mr Ted Kilpatrick, who was in the Water Division at the time, took me to the Transport and Works area and showed me a video produced by the Snowy Mountains Authority which related to the effect of a 1-in-100-year flood at the Telegraph Station. The results were extrapolated to show the effects on the town of Alice Springs. The authority had made working models and used them in the video to show the results of such a flood. The floods we have in Alice Springs are generally flash floods. In a matter of a few hours, a dry river bed becomes a raging torrent which then disappears fairly quickly. The model built by the Snowy Mountains Authority showed that, if a dam wall was built to a level considerably higher than the level of the spillway, the flood waters would spread out over the surface of the dam so that what normally happens in a matter of a few hours would happen over a few days.

In a press release announcing the Cabinet decision, the Chief Minister said that the dam would keep a 1-in-100-year flood substantially within the confines of the river bed. Such flood mitigation is far more important than any recreation lake. Such a lake would be nice and many people in Alice Springs would enjoy having it, including many Aboriginal people. The safety of the town and its people, however, is far more important and I welcome the government's determination to proceed. For more than 6 years, I seemed to be bashing my head against a brick wall but now it looks as if we are on the way.

One of the real pluses in this matter is the fact that the custodians of the area are very eloquent people. They can speak and think for themselves. They can negotiate and there is no requirement for the Aboriginal Sacred Sites Protection Authority to be involved. I take on board the comments of the member for Flynn in this context. I have had some dealings in other matters with Mr Peter Blackwood of the Aboriginal Sacred Sites Protection Authority

and was not able to obtain much satisfaction. I actually called on Mr Bob Ellis and matters were resolved fairly quickly once he arrived on the scene which, to give credit where credit is due, was quite refreshing. After he had a few words to say behind the scenes, things quickly fell into place.

The news that the government has determined that it is prepared to negotiate with these traditional owners is most welcome. Those people are quite capable of representing their position and coming to a decent agreement without necessarily involving the Aboriginal Sacred Sites Protection Authority. No doubt, the authority will jump up and down, but I remind its members and all Territorians that the authority is the servant, not the master, of Aboriginal people. Its job is to conform with the wishes of the Aboriginal people and, in this case, I believe that the Aboriginal people involved will be able to express their needs and desires quite clearly and firmly. I believe that a resolution can be reached and that the traditional owners appreciate the dangers to all people in Alice Springs, both Aboriginal and non-Aboriginal, of the big floods which are capable of occurring there. It is good news.

I might take a moment to do a little stirring. For almost 7 years, I thought I was getting absolutely nowhere, despite raising the matter on many occasions. It has been suggested that perhaps the fact that the CLP's representation in Alice Springs and central Australia has gone from 5 out of 7 members to 2 out of 7 has made the government realise that we cannot be taken for granted. In days gone by, the received wisdom was that elections were won or lost in the northern suburbs of Darwin. It is good to see that the government is now taking notice of central Australia and has made other promises about development down there.

Mr Finch: We always have. We spend more per capita there than in any other region in the Northern Territory, and you know it. You have done really well.

Mr COLLINS: Before the minister jumps up and down and talks about the bus service for Alice Springs, I will say that it should be operated on a trial basis prior to committing \$170 000 of taxpayers' funds to it each and every year. If it can be shown to be viable and achieves a reasonable patronage, that is fair enough. I can tell the minister, however, that many governments around the world would love to get out of the provision of bus services because they cost an arm and a leg.

Mr Finch: I will use this quote in the next election.

Mr COLLINS: I am quite happy for you to do that although you are a bit late. My comments have been reported on the front page of the local paper. I am not one for throwing taxpayers' money into something that is not supported by the public. I believe the government should not tie itself into subsidising a bus service whether that service is patronised or not.

On Tuesday morning, I asked the Minister for Lands and Housing to look at alternative systems in respect of the certificates of compliance which are being demanded these days by people buying houses, often at the suggestion of solicitors. Maybe there is a good reason for having a certificate which states that a house is structurally sound, that permission to build was obtained and that the foundations, the footings, the steelwork, the tie-down bolts, the roof anchorages and so on have been properly inspected by government inspectors.

Mr Speaker, you will be well aware of shonkies which have occurred in our town. A Housing Commission inspector allowed a whole host of buildings to be built without the tie-down bolts. We now have the horrible situation in which bricks are being removed from houses to enable rods to be glued in. It is a very expensive business and it is only necessary because someone turned a blind eye to what the builders had contracted to do. Taxpayers are paying for this work to be carried out now.

The demand for compliance certificates when a house is being sold is relatively new. It seems that solicitors are advising the purchaser to demand a certificate of compliance. There is a problem, particularly with older dwellings, that the information on which a certificate of compliance can be supplied often is not available. There are various schools of thought about this. One person has suggested that the records were lost in Cyclone Tracy because they were brought to Darwin. Others say that that is not the case. I do not know where the truth lies. What does a person do who is trying to sell a house and has to provide a certificate of compliance? The department will not stick its neck out and say that it has been inspected. It is not prepared to do that because, if the house fell down the next day, the government would be responsible for building a new house.

I will mention the case of Sue McPherson, Godfrey McPherson's daughter, whom you would know, Mr Speaker. Hers is one of the first cases brought to my attention. She had to pay an architect to redraw plans of the house. I have no doubt that there were originally plans for the building because the department had sewerage plans. I find it fairly hard to imagine that sewerage plans could have been drawn up without original plans existing at some stage. Because these had been lost, Sue McPherson had to spend \$1500 to get the plans redrawn and an additional sum for an engineer to inspect the building as best he could. One can hardly dig up foundations to check whether the steel is there. Tie-down bolts and the like were not in the Building Code in those days. However, he was able to check on how well the roof was tied to bond beams and so forth. Complying with the demand for certification cost Sue McPherson a great deal of money and I feel that, in a sense, she was unjustly treated.

From my conversations with officers of the Department of Lands and Housing in Alice Springs during the last week, I gather that they are no longer demanding that an architect redraw the plans of houses for which certificates of compliance cannot be found, although there still seems to be some variation. Some solicitors are apparently happy with a certificate which says that the building being sold has the appropriate health authority approval, which I presume means that the sewerage and plumbing is all okay, and that there is a toilet and shower and the like, whereas others are demanding that an engineer inspect the building and certify that, in his view, it is structurally sound. That throws the onus on the engineer of course. It is a problem for people when they want to sell their properties.

The other day, a lady rang me. She said: 'We bought a property 4 years ago. It is an old building. Now we want to sell it but the purchasers are demanding that we provide a certificate of compliance'. She was quite concerned. Apparently, this sort of thing is happening a couple of times a week. I ask the minister to examine the matter and try to develop some standard rules which will satisfy all parties as much as possible and minimise costs.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

PETITION
Strip Shows on Licensed Premises

Mr SETTER (Jingili): Mr Speaker, I present a petition from 41 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I do not propose that the petition be read, as it is in similar terms to a petition that was presented earlier in these sittings.

LEAVE OF ABSENCE

Mr COULTER (Leader of Government Business): Mr Speaker, I move that leave of absence for this day be granted to the Chief Minister and the Minister for Labour, Administrative Services and Local Government. They are attending a funeral service.

Motion agreed to.

Mr EDE (Stuart): Mr Speaker, I move that leave of absence also be granted to the Leader of the Opposition and the member for Arnhem, who are attending the same ceremony.

Motion agreed to.

PERSONAL EXPLANATION

Mr EDE (Stuart)(by leave): Mr Speaker, this morning during question time, the Minister for Education criticised me for not being present when he replied to a speech that I made in the adjournment debate last night. He stated that I was not prepared to hear his side of the argument on matters that I raised again this morning.

In fact, as the honourable minister well knows, I was being interviewed on the 7.30 Report, after he had been asked to appear on the same program with me to debate the issues. He stated this morning that I had made statements to the public conveying the wrong message yet, when he was asked to debate the issues with me last night, he pulled out and would not appear. I think that he was misleading this House by trying to give the impression that he was not being given the same opportunity as myself to speak to the public and give his side of the story. In fact, he squibbed an opportunity to publicly debate the issues.

PERSONAL EXPLANATION

Mr HARRIS (Education)(by leave): Mr Speaker, once again, the member for Stuart is misleading the Assembly. My reference to his not being present in the House did not refer to 1 occasion alone. There are many occasions when the honourable member is not present. It was about 7.15 when I made those comments last night and he could have been here to listen to the corrections I made to his statements.

PERSONAL EXPLANATION

Mr POOLE (Tourism)(by leave): Mr Speaker, to put the record straight, during question time yesterday I answered a question in relation to strip shows. I think the member for Barkly put the question. During the course of

my reply, I stated that I intended to introduce amendments to the Liquor Act and some changes to regulations during these sittings.

It is apparent that the workload of Parliamentary Counsel is such that it is possible that these amendments will not be ready in time for introduction during these sittings. If that is the case, they will be introduced during the May sittings. I have asked Parliamentary Counsel to finalise them as quickly as possible and I hope they will be available during these sittings, but I cannot guarantee it.

ANSWER TO QUESTION

Mr MANZIE (Lands and Housing): Mr Speaker, in question time yesterday, the Leader of the Opposition asked me a question concerning future development at Myilly Point. In answering the question, I referred to a 10-year time frame in the context of the developer's rights to that site. I answered the question from memory, and I have since taken advice on the matter. I now inform honourable members that, in respect of the development proposal in question, there is no time constraint on the developer. Of course, the government would not allow these rights to extend indefinitely.

Honourable members may be aware that the 10-year period relates to the length of tenure of the university, formerly the University College, over the old hospital complex at Myilly Point. I am sure honourable members would agree with the principle that, where a developer has existing rights, it would be improper for the government to deal with a second or third would-be developer. However, obviously, there must be a point at which the first developer shall commence a project or face the prospect of losing the rights to the site in question.

In respect of the development at Myilly Point, I can advise that negotiations are proceeding regarding a proposal, and I am confident of being able to confirm a major development on the site before the end of this year. Mr Speaker, I apologise to honourable members if the information I provided yesterday may have been misleading.

TABLED PAPER New Parliament House Committee Report Proposed Conceptual Plans

Mr SPEAKER: Honourable members, I lay on the Table a report of the New Parliament House Committee on Proposed Conceptual Plans for a New Parliament House in State Square, dated February 1989, together with a revised architectural brief dated October 1988.

Mr FINCH (Transport and Works): Mr Speaker, I move that the report be printed.

Motion agreed to.

Mr FINCH: Mr Speaker, I move that the report be adopted and, in so doing, I would like to make a few preliminary remarks.

Firstly, I would like to acknowledge the contribution made by members of the committee. The committee has been totally bipartisan, in the true sense. Many of the initiatives have come from all members of the committee. We had to work through a design brief of the Parliament House, looking at specific areas and dimensions, and we then proceeded to assess conceptual plans,

layouts and so on. It was no mean exercise, and it could not possibly have been completed were it not for the very genuine input from all members of the committee.

In addition, officers of the Department of Transport and Works acted as advisors to the New Parliament House Committee. They are to be commended for their most professional approach and their tolerance in explaining matters which were, in some cases, not easily grasped initially. I particularly thank Ron Findlay and Malcolm Smith for their efforts in that regard.

It is important for honourable members to note that this is a progress report and is by no means the final design. The drawings are simply conceptual plans and a great deal of work remains to be done in the design and development phase. There is still opportunity for areas to be altered marginally and for the appearance of the building to be developed into its final phase. The prime purpose of these drawings, rather than to provide a pretty picture for either honourable members or the public, is for use by the architects who will now proceed with the project. I would want them to be viewed in that context.

As I said earlier, developing the design brief took a fair bit of work. We had a design brief from the Parliament House design competition in 1984 but some parts of that, which the report refers to specifically, were discarded. There has been a reduction in the size of the building as it was envisaged 4 years ago.

At this stage it is difficult to say much about costs other than to observe that the original upper limit figure imposed by the government as part of the State Square project will be reduced although we cannot know to what extent until the design and development phase is finished. The original concept has been reduced in size by at least 2500 m² and that will result in some savings. However, until we get down to the details of the design, we will not know what the actual grossing factor of the building will be, that being the area required in any building over and above the bare, net area for office space and so forth.

Members have the opportunity to attend a full briefing at 12 noon, when officers of the Department of Transport and Works will be here to explain any technical matters regarding the design brief or the conceptual drawings. Comments arising from that briefing or further contemplation by members should most appropriately be directed to the committee's chairman who is, of course, Mr Speaker himself. The debate will continue next week to allow members time to consider matters of detail and to comment.

The decision on the site also took some time, being a matter of great importance. The building will be located on the site of this Parliament House and will have views over the harbour. It will fit quite nicely into the overall State Square concept, with the Parliament House being the building closest to the city and the most prominent building as one enters the square. It will be a building of which Territorians will be able to be justifiably proud.

The brief includes provision in the core areas for some 40 members with immediate provision in service areas and offices for 25 members only, and the flexibility to add accommodation for up to 40 MLAs which one might expect to be needed at some time during the next century. One of the distinct benefits of the concept is that it allows some flexibility of movement at a later stage. One of the concerns about the conceptual plan originally put forward

to the committee by the project manager was that it was constrained by its rectangular design, rounded columns and so forth. The present plan has been developed from work done by Mr Malcolm Smith of the Department of Transport and Works and that is not surprising, given that he has worked with parliament house committees for 10 years or so and obviously has a feel for what parliamentarians are looking for in a parliament house. As a local person who has been an architect here for a considerable number of years, I am sure that Malcolm will be able to provide appropriate input to the overall design. I am delighted that the committee agreed unanimously that his work would be adopted. The committee looked at 6 of the best entries from the 1984 competition but those were discarded on the grounds of aesthetics, functionality, size, cost and so forth.

I should give credit also to the Western Australian government, which sent some architects to give us a fresh look at what a parliament house might be and I have forwarded a personal note to the Minister for Construction in that state to thank his officers for their efforts. A number of other options were put forward, including an alternative design by the project manager's architect. These were given proper consideration by the committee and, Mr Speaker, you would recognise the efforts made by all of those people, efforts for which they should be thanked.

It is now time to move from those conceptual designs through to a detailed development plan. There is still a role for the New Parliament House Committee to play and, of course, the parliament itself, as we proceed through the various stages. Each of those recommended stages is referred to in the report and will be the subject of a motion in the House next week.

Mr Speaker, I do not think there is a great deal more that I should say at this stage other than to point out that, whilst there might not be much public sympathy for us when we are working under difficult conditions, the newspaper stories in the final sittings last year about buckets being used to collect rainwater coming into this Chamber, provided a reminder that the roof of this building was condemned as long ago as 1974.

Mr Collins interjecting.

Mr FINCH: The member for Sadadeen might recall that there was no air-conditioning in the House yesterday. No areas were available for meetings with staff or colleagues because the committee rooms were taken up, and even members of the press were forced to use the telephone in the non-members' lounge to do radio voice-over interviews. Mr Speaker, that is not as it should be. In order to be heard on talkback radio, the Leader of the Opposition had to turn down the loudspeaker in the non-members' bar - just to be able to get a report through to the public. The new Parliament House has to provide suitable facilities to ensure that the workings of parliament are adequately achieved and are made known to the general public.

Mr Speaker, I look forward to hearing constructive comment from honourable members as I am sure all other members of the committee are. I close by once again thanking my colleagues on the committee for their extensive cooperation and goodwill.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I do not wish to add much to what the Minister for Transport and Works has said. We have served on this committee for some time. Of course, the opposition has a point of view about the appropriateness of pursuing the development of this Parliament House at this time. I am sure that the views of the opposition are well known inside and outside this House and I will not pursue them now.

Our committee was charged with the responsibility of putting to parliament a design which we felt would be better able to facilitate the business of parliament, when and if the present facilities no longer exist. I too would like to thank the various advisers to the committee. Their forbearance was most commendable. The requirements of the committee and its various members were diverse, and I am sure that it was an extremely difficult exercise for the people advising the committee to draw together the various viewpoints of committee members in terms of the the building's design and function. I believe, however, that those people have done a very good job, within the constraints which the committee placed upon them in relation to costs and other matters. I hope that all members of the House will take the opportunity to attend the briefing that is to be provided in the committee room.

I look forward, as I normally do when speaking on the reports of committees of this parliament, to hearing the comments of all members. I do not think the minister overstated it at all when he said that the approach of the committee and the various members of the committee was truly bipartisan. I would hope that all members of the House, no matter what their persuasion, will make frank and free comment about what they see to be shortcomings of the committee's report or any aspects of the design, particularly if they believe it should be in some way altered or enhanced.

Mr Deputy Speaker, with those few words, I urge all members to take the opportunity to attend the briefing that will be available from the designers at 12 o'clock.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, you would be aware that I have always been very interested in the cost of this particular project. We have not been given many figures and, in some ways, I understand the Chief Minister's statement that he will not know the cost of the whole project until he goes to borrow the money. It is to be borrowed in various stages. However, Mr Deputy Speaker, you are well aware that interest rates are rising at this particular moment and for this House, and for the people of the Territory, I would like to update some figures I gave on a previous occasion.

At that time, I used the figure that has been put around, that the overall project is expected to cost about \$100m, which will be paid out to the builders, contractors, landscapers etc. That money, of course, will have to be borrowed. Borrowed money attracts interest and interest payments have to be met. I will repeat the figures that I gave in the last sittings. If \$100m is borrowed at 13.5%, which was a fairly reasonable interest rate at that time, and if it were paid off over a period of 30 years, which is a reasonable time for the project, the all-up cost would not be \$100m but \$420m. That figure is calculated on the basis that payments would be made yearly.

Today, the average interest rate has risen by about 2% to about 15.5%. My calculations tell me that \$100m borrowed at 15.5% and repaid in yearly payments over 30 years will result in a total cost to the Territory of \$471m - a \$51m rise due to a mere 2% interest rate increase. That concerns me, and it concerns the people of the Territory.

Further, I recall a press release issued a month or so ago by the Chief Minister that indicated that he had borrowed the first \$20m towards the State Square project at 4%, but that the interest rate would rise. If he could get the full amount at 4% and continue at that rate, it would be marvellous. It is less than inflation. However, as we well know, the people who are lending the money would have ensured that the interest rate will grow. That means that the people who will cop the heaviest interest rates will be

our children and grandchildren. We are taking the soft option now and the burden of the heavy option will fall upon the Territorians of the future, and that definitely concerns me.

I give notice to the Chief Minister that, next week, I intend to ask for details. Surely, if he has borrowed \$20m, the full details of how the interest will rise must be available. At least he could provide the House with information on that, and I give him warning of that question.

Debate adjourned.

STATEMENT
Mental Health Services in the Northern Territory

Mr DALE (Health and Community Services): Mr Speaker, in September 1987, I presented information to this House about the important matter of mental health care in the Northern Territory. More recently, I addressed the House about the intellectually-disabled and, at that time, I promised to speak about recent developments in the care of the mentally-ill.

It is important for us all to be aware and to acknowledge that many people can suffer from mental disorders and emotional problems in all societies, including our own. Mental distress is not sex-selective, nor does it affect only particular social groupings, classes or races in the community. The populations of the Northern Territory and other Australian states and territories are affected just as much as people in other places throughout the world.

In my statement on this matter in September 1987, I provided indications of the extent and consequences of mental disorders in the community, and those indications are worth repeating. Various studies in Australia and overseas have shown that, at any one time, 10% to 15% of the general population suffers from mental disorders sufficient to interfere with their lives, and a further 10% suffer significant distress from their symptoms. This means that 25% of the population may be ill or distressed to some degree at any one time. Other studies have estimated that 1 in 5 people will be admitted to an acute psychiatric ward for treatment at some time during their lives. The figures I have quoted can be translated readily into human distress for individual sufferers, as well as for their families, relatives and friends. They can also be translated into loss of income, decreased productivity and increased reliance on social services or similar agencies. Not all people in the studies require treatment, but these figures indicate the extent of distress in the community.

It is interesting to note that, in some countries, people speak openly of mental distress and about the help available from mental health workers. Unfortunately, the attitude of the average Australian appears to be in sharp contrast to such openness. In Australia, we tend to feel embarrassed and fearful of acknowledging that mental illness and emotional distress are a part of ordinary life. Part of the price our community pays for such attitudes is that many people do not seek treatment which would alleviate their condition. People see no shame in seeking treatment for a broken arm, but will often put up with a crippling mental condition which causes more distress to them than leaving a broken arm unattended would do.

I invite the honourable members of this House to adopt a healthy, open attitude to mental health issues and to assist in the demystification of this natural human phenomenon. The government of the Northern Territory has

acknowledged that men, women and children in the Northern Territory can be assisted greatly by the establishment of an efficient and effective service. In 1985, the government initiated a move to develop a comprehensive and integrated, Territory-wide mental health service. I am pleased to be able to report that a progressive and accelerated approach to the development of a mental health service has been successful. No longer do people need to travel interstate for treatment. The foundations for an effective service are firmly in place in the Territory and are contributing significantly to the health and well-being of Territorians.

I would like first to present to honourable members an outline of the mental health services available throughout the Northern Territory. I intend to examine the various services later in this statement. In Darwin, our main in-patient services are provided at the psychiatric complex in the grounds of the Royal Darwin Hospital. This comprises 3 wards. The first is the Cowdy Ward for admissions. The expression 'acute' admissions was used in the original copy of this statement. I omitted the word 'acute' deliberately, because, unfortunately, a number of people misinterpret what that word means. 'Acute' simply means that the extent of the mental disorder requires that the affected persons be hospitalised. It does not mean that they are Rambo-like people like those who shot and killed many people in Moonee Ponds in Victoria recently. They can be housewives or husbands, who are under some stress because of normal family pressures and simply need to be hospitalised and assessed for a period of, say, 24 hours before some treatment program can begin. Of course, there are a few cases where more drastic treatment measures are required and those steps are followed through.

The second facility is the Psychiatric Rehabilitation Ward. That is Ward 9B. If people who enter through the Cowdy Ward are assessed as requiring ongoing hospitalisation so that a rehabilitation program can be initiated, they are placed in Ward 9. That is for the people who require a high-security facility and who are under constant supervision.

Community services are based at the Tamarind Centre and these include outpatient clinics, forensic services, migrant clinics, day programs, child and family services and rural services. The Tamarind Centre also supports The Manse, which is run by the Northern Territory Mental Health Association. The Darwin-based services provide clinical support to Mental Health Services staff in the East Arnhem and Katherine regions and 2 psychiatric nurses are based in each of these regions. In-patient services are provided at Ward 1 in the Alice Springs Hospital. A rural team provides services to outlying centres and support to the psychiatric nurse based in Tennant Creek.

The aim is to provide efficient, effective, high-quality mental health assessment and treatment services to Northern Territorians. Programs currently in place are both comprehensive and integrated. There are a range of services available in special hospital wards, outpatient departments, community centres and day centres. This range of services is required to treat the special needs of certain diagnostic categories and make access to treatment as easy as possible for members of our community. For example, some patients require physiotherapy and some need medical intervention, while others require support and life skill programs.

The setting up of a comprehensive range of services is important but they must be integrated as well. Our Mental Health Services staff must ensure that no clinical, administrative or organisational barriers exist to impede efficient delivery of treatment. The programs incorporate the concepts of primary, secondary and tertiary prevention. These concepts cover a broad

range of services available to the Territory community: primary prevention places an emphasis on community education, supporting general practitioners, health and welfare workers and voluntary and community agencies; secondary prevention places emphasis on community and outpatient services, crisis intervention and acute short-term in-patient treatment and care; and tertiary prevention focuses on treatment, rehabilitation and reintegration of people into their communities.

Precise objectives for the services have been developed. The objectives of the Northern Territory services have received favourable comment in the recent National Mental Health Services Policy Report presented to Commonwealth, state and territory Health Ministers in March 1988. Mental Health services in the Northern Territory have been developed around the well established, north-south regional principle. The Darwin region has a wide range of services which complements services based in the Katherine and East Arnhem regions and, in some cases, the Alice Springs and Barkly regions.

The services located in Darwin are organised into sub-programs. The acute services sub-program focuses on the assessment and treatment of persons with acute short-term mental disorders such as phobic states, post-traumatic stress disorders, depressive states, anxiety states and post-partum depression. Outpatient clinics are located at the Royal Darwin Hospital and the Tamarind Centre. Weekly assessment clinics are also held at each urban community health centre in the Darwin region. Specialists from our Mental Health Services provide liaison services to the general wards of the Royal Darwin Hospital. Recently, 15 acute beds have been relocated from Ward 5A to Block 6 of the Royal Darwin Hospital. Block 6 is outside the main hospital building and is adjacent to the main psychiatric services complex on the hospital grounds.

Administrators of the service used the move to Block 6 as an opportunity to plan an improved environment for patients who will benefit from management in villa-type wards. The clustering of Mental Health Services in a discrete portion of the Royal Darwin Hospital campus will also facilitate greater efficiency and improve conditions for clinical staff.

A special clinic has begun at the Tamarind Centre to help migrants adjust to life in their new country. This service is increasingly important to the growing number of migrants who have chosen to live in the Territory. This team also has the skills to provide a service for victims of disaster. The rehabilitation service is a sub-program designed to focus on persons with profound or psychotic recurring conditions. This includes persons with schizophrenia, paranoid states, manic depressive psychosis and other major mental disorders. Members of the community can seek treatment under this program through any community health centre or via the outpatient services and day centre provided at Tamarind Centre.

The outpatient and day patient facilities are complemented by the new 10-bed Psychiatric Rehabilitation Ward located at Royal Darwin Hospital which began admitting patients on 5 April 1988. The ward was opened officially on 10 October 1988.

The Manse, which is located in Parap and managed by the Northern Territory Mental Health Association, has commenced operation as a transitional living facility to assist people to readjust to community life. The association is committed to providing a transitional living and respite care resource to complement government initiatives.

The forensic sub-program provides a modest service to the whole of the Territory. The focus for this service is to provide expert assessment of and treatment for adults and juveniles before the court, people on remand or convicted persons in jail or on probation. Services are accessed via outpatient clinics held at the Tamarind Centre, Gunn Point Prison Farm and Berrimah Prison, and by liaison with the legal fraternity and probation and parole officers.

Ward 9 at the Royal Darwin Hospital provides 7 beds for people who need more intense assessment and treatment than can be provided in an outpatient setting. Phase 1 improvements to Ward 9 were completed on 30 March 1987 and I have approved further development work. Heavy demands are made on this ward by the magistracy and the judiciary.

A sexual offenders treatment unit is being developed to break the cycle of recurring sexual offences. It is well known that sexual offenders are very likely to repeat their crimes. Interventions that reduce the risk of this occurring are critical to resolving this community problem. The service has begun a recruitment drive for specialists to staff the unit which is expected to be functioning by mid-1989. This treatment program is a vital part of the government's strategy to deal more effectively with sexual offenders.

The child and family sub-program is another important part of the service. The program provides services to disturbed children and their families. The principal outpatient clinic is located at the Tamarind Centre. Assessment and support clinics are provided also at Palmerston Community Health Centre and Casuarina Plaza Community Health Centre. In addition, the unit receives referrals from the Katherine and East Arnhem regions. The child and family team provides support and advice to various welfare teams throughout the Northern Territory. Given the nature of the Northern Territory population, the value of this service will not be lost on honourable members. It is of particular interest to note that most people who attend the unit are self-referrals. Studies in New South Wales have indicated that 10% of adolescents experience distress consistent with a psychiatric diagnosis. In some surveys, parents expressed the view that the most difficult parenting task was dealing with a disturbed adolescent. The Child and Family Service cooperates with other welfare agencies to achieve that end.

Mr Speaker, the community demand for various psychiatric services can be determined by the following statistics from key elements of Mental Health Services. During the period July 1987 to June 1988, 5029 outpatient services were provided at the Tamarind Centre. In addition, 2351 services were provided to the community. During the same period, the Child and Family Service provided 777 outpatient services and 2534 outpatient services were provided at the Royal Darwin Hospital. Day centre patients at the Tamarind Centre received 2944 occasions of service. From August 1986 to November 1988, more than 2000 individuals voluntarily sought treatment at the Tamarind Centre alone.

The rural service sub-program is concerned with providing services to rural communities. Currently, services to communities are provided on a needs basis and many centres are visited. Planning is under way to restructure services to rural communities and to provide culturally appropriate treatment programs. Aboriginal health workers will be expected to play a big role in this initiative.

The needs of Territorians in the Katherine and East Arnhem regions have not been forgotten. In the past 12 months, 2 community psychiatric nurse

positions have been established in each region. Clinical and administrative support is provided by the Darwin region and this forms the basis of an effective network of care in the smaller regions.

Substantial developments have occurred also in the Alice Springs and Barkly regions. A Director of Psychiatric Nursing was appointed in September 1988 to act as a member of the mental health executive and coordinate mental health services for the Centre, and 8 new staffing positions have been created to ensure that the central region can develop a wide range of treatment programs. Improvements to Ward 1 of Alice Springs Hospital and the erection of an enclosed courtyard for patients will enable the ward to be more flexible and will improve its environment. Acute and medium- to long-term patients will be cared for in Alice Springs, reducing the disruption to their lives. I remind honourable members of my definition of the word 'acute' in that circumstance.

Mr Bell: What is your definition of 'medium- to long-term' patients?

Mr DALE: I thought that would have been apparent.

Mr Bell: Whom were you thinking of?

Mr DALE: Mr Speaker, I will develop that argument if the honourable member would like me to. He is asking who I am thinking about.

Mr Bell: What sort of patients are you thinking about?

Mr DALE: Mr Speaker, once again the member for MacDonnell wants to identify particular people.

I will be happy to expand on my definition when I sum up, after the honourable member has spoken in this debate. As I said, acute medium- to long-term patients will be cared for in Alice Springs, reducing the disruption to their lives.

Outpatient services are provided at the Alice Springs Hospital. The child, adult and family teams provide easily accessible services from the community health centre. A community house adjacent to the hospital provides a day centre program which has been very successful. The building has been upgraded recently and additional clinical rooms provided. Consultative and support programs to Correctional Services and Probation and Parole have been formalised and clinical support is provided to the special handling unit in Alice Springs Prison.

The recent appointment of a Rural Service Coordinator ensures that services are provided throughout the region and enhances the provision of services to Aboriginal communities. A psychiatric nurse position has been established at Tennant Creek also, and outpatient services are provided. Clinicians from Alice Springs visit regularly to support local services.

It is patently clear that this government initiative has been a most successful venture and great credit goes to the dedicated team who have worked hard to provide excellent services to the Territory. Central to the success of the venture has been the strong patient-and-client focus, recognising the needs of individuals in our community. Our indigenous people and the international nature of the population present challenges to mental health care which are being addressed. Multi-discipline teams have been recruited for sub-programs and recruitment is continuing for others. The team approach

ensures that skills and knowledge from various professional groups are available, which leads to a high quality of care and enhances treatment and care. The Child and Family Service and the Adult Service teams comprise psychiatrists, medical officers, registrars, community psychiatric nurses, child and family therapists, psychologists, social workers, occupational therapists and the all-important administrative support staff.

Some expected benefits for the people of the Northern Territory can be summarised as follows: reduction in personal distress for individuals; reduction of disruption to family life, resulting in less police involvement and less use of the courts; diminished disruption to the lives of children and a reduction in adverse, long-term effects; reduced risk of suicide and accidents; decreased use of alcohol and drugs; reduced reliance on multiple community resource; and reduced use of the prison system. Mr Speaker, I would not pretend that our work in this area is complete. A great deal more needs to be done to refine services and introduce new programs. Of course, existing programs are under constant review to ensure that an appropriate focus is maintained. The government's current expenditure is \$5.4m per year.

Over the next 5 to 10 years, initiatives will be put in place which will put the Territory in the forefront of progressive mental health services in this country. It is our intention to focus on primary prevention and to introduce the first comprehensive mental health prevention, education and promotion program in Australia. The recent report to Commonwealth, state and territory health ministers entitled 'A National Mental Health Services Policy' reveals that no other state or territory in Australia has a comprehensive mental health prevention, education and promotion program. This is despite the fact that preventive and educational programs have been used effectively in all other areas of health.

This service will concentrate on informing the community on ways to achieve and maintain mental health and facilitate the voluntary adoption of behaviour that leads to improved health. It will use its educational resources to teach and support other professionals who come in contact with mental illness in the course of their work. In this way, early identification, referral and treatment will occur and the public will lose its apprehension over contact with those who are or have been mentally-ill.

In its planning, a mental health service has to acknowledge that, although prevention and education will play a very important role, there are some mental illnesses which, given our present state of knowledge, cannot be prevented. Over the last 2 years, one goal has been to reduce the number of people in our community with untreated mental illness. Unfortunately, there are some people whose illness takes a chronic or recurring form and who may become socially and psychologically incapacitated. These people need ongoing treatment, supervision and support. My department is planning to develop adequate resources for the appropriate care of these people.

With an expected strong growth in population over the next 10 years, the total requirement for beds for the mentally-ill in the Territory, both acute and long-term, will be approximately 90. It is proposed to provide these beds in a number of ways. The Psychiatric Rehabilitation Ward at the Royal Darwin Hospital will be extended to accommodate 20 people for treatment and rehabilitation. The Forensic Ward will be extended to accommodate 14 people, enabling it to cater for double its present capacity. People with mental illness who are a potential danger to themselves or others, whether or not they have committed an offence, will use the ward. The emphasis on treatment of offenders who are mentally-ill is part of an enlightened mental health services program.

Firstly, we will establish a 10-bed unit for adult brain-damaged people who are potentially or actually a danger to themselves or others. Members of the community have expressed concern about these people, who have often been the subject of adverse media reporting. They fall within the broad category of the behaviourally-disturbed, but require an emphasis on training and regular reorientation rather than the treatment program which operates in a forensic unit. This new unit will accept all adult persons with brain damage, whether it arises from motor vehicle or other accidents; dementia arising from alcohol; medical illness or other causes; or where the person is too dangerous to be managed through community-based resources.

A survey is being conducted by Mental Health Services during this year to ascertain whether a community house is warranted for those people requiring crisis intervention on account of acute social and psychological trauma. If the need exists, this resource would provide early intervention and resolution of the crisis, thus avoiding admission to the Acute Psychiatric Admission Ward.

The balance of the required accommodation will be obtained through community-based residential facilities for people with long-term mental disorders who are not dangerous, and I want honourable members to note that most mentally-ill persons are not dangerous. These facilities will be developed in Darwin and Alice Springs. Modern scientific knowledge and improved community attitudes permit management and care of most long-term mentally-ill people within the community, rather than in the traditional mental hospitals of a bygone age.

The Correctional Services Division of my department and the Mental Health Services have combined to plan an improved treatment facility within Berrimah Prison. This will offer a new service to prisoners, improving their mental health and treating those few persons with mental disorders who require the high security environment of a prison. Sex offenders in prison will be able to commence treatment of their deviancy during this custody.

As services have been developed, it has become increasingly clear that the Mental Health Act will soon require amendment. A review of the act will be necessary to ensure that the legislation keeps pace with community values, assessment and treatment innovations and an extending service. Territorians can be confident that the foundations of excellent services are in place. They can be confident that the clinical services will compare favourably with those in other places in Australia, and that the organisation and delivery of services will, in some cases, break new ground in the delivery of care to the mentally-ill.

Mr Speaker, the Mental Health Services are now an important arm of the Department of Health and Community Services, collaborating with all other divisions and contributing to the well-being of Territorians which is, of course, the primary goal of my department.

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

Mr BELL (MacDonnell): Mr Speaker, you will recall that, in the adjournment debate on Tuesday, I referred to the regrettable circumstances of patients with a history of violence causing problems at the Alice Springs Hospital. At that stage, I was not clear about all the circumstances that were reported, and they are still not clear to me. What I am concerned about is that, in this statement, the minister made absolutely no mention of the fact that a patient in Ward 1 of Alice Springs Hospital, whose skull was fractured, had to be removed to Adelaide.

What the minister has attempted to do with this particular statement is to refuse to explain to this parliament and to the people of the Northern Territory what is going on with mental health services in the Northern Territory. As far as I am concerned, he deserves the strongest possible criticism for his failure in that regard. I am aware that there are positive moves occurring in relation to mental health services in the Northern Territory but right now, because of the minister's efforts to gloss over what is a serious shortcoming - and it is a serious shortcoming because for many years CLP governments in the Northern Territory have failed to address the issues - innocent people are being put at risk.

There are 2 basic issues. First, there is the question of protecting innocent people who require mental health services, whether they are in Ward 1 of the Alice Springs Hospital, in the Royal Darwin Hospital or somewhere else. We have to ensure that people who require acute psychiatric services - and the honourable minister explained very carefully what he meant by 'acute' psychiatric services - are able to receive those mental health services in circumstances that will not exacerbate their condition. The second issue relates to a very simple principle, which is that those people who may be less amenable to rehabilitation and resuming a place in the general Territory community must be treated in a humane fashion. Mr Speaker, you will be aware of the large number of people who, being classified as behaviourally-disturbed or brain-damaged, have sometimes been before the courts for serious crimes and even homicide. They have been found by the courts to be unfit to plead. Those circumstances led the government to decide, in 1987, to move some of those people to more secure accommodation in Ward 9 of the Royal Darwin Hospital. Less than 2 years later, we find that serious incidents are again occurring. The circumstances are bad enough in themselves but the minister's efforts to pretend that they are not occurring simply cannot be tolerated.

During question time this morning, I asked the minister a question in respect of what was presumably a confidential report to himself. He tried to indicate that it was to the Secretary of the Department of Health and Community Services and not to himself. I trust that, since he has now read the report, he is aware of the fact that it is directed to the minister, through the secretary. I hope he has taken the trouble to read it more carefully.

The subject of that report was the care of brain-damaged patients and the safety and security of nursing staff and patients at the Tennant Creek Hospital. It was dated 13 January 1989 and was from the Acting Regional Director, Alice Springs and Barkly Region. I do not propose to read it in full although I will table the document. The plain fact is that the circumstances of holding a particular person were causing serious problems for the staff of the Tennant Creek Hospital. I would like to know whether it was a personal decision of the minister and on the basis of what advice that decision was taken.

Mr Dale: Read the document.

Mr BELL: The particular patient involved was transferred to Ward 1 in Alice Springs. The ...

Mr Dale: If you do not, I will.

Mr BELL: I am not sure which part of the ...

Mr Dale: Talk about the Regional Director saying what happened down there.

Mr BELL: I appeal to you, Mr Speaker ...

Mr SPEAKER: Order! Both honourable members will address their remarks through the Chair.

Mr BELL: With respect, Mr Speaker, I have been doing so.

Mr Speaker, I would like to point out to the Minister for Health and Community Services that if he wants to carry out a conversation like that and prevent my getting through the fairly copious material I have on this subject, he should be prepared to grant me an extension of time. I will read the document in toto if he wishes.

Mr Dale: Right.

Mr BELL: Mr Speaker, the document reads:

Several sections of the Tennant Creek community have expressed concern for the safety and security of patients and staff at Tennant Creek Hospital. Recent letters have been received from the Tennant Creek Hospital Management Board, the member for Barkly, private medical practitioners and various members of the nursing staff. The major issue is that of caring for brain-damaged patients at Tennant Creek Hospital. The general security of nurses after hours is being raised concurrently by nursing staff.

The central figure in the issue of caring for brain-damaged patients at Tennant Creek Hospital is a 17-year-old Aboriginal male who received severe brain damage from a motor vehicle accident. He has been to the Julia Farr Centre in Adelaide and Royal Darwin Hospital for rehabilitation, but is now in Tennant Creek Hospital. He is a major management problem for the nursing staff as he can be violent and is often very noisy. Because of this, he is often sedated and physically restrained - ie tied to a bed or chair. The medical and nursing staff are particularly upset by this as most think it is inappropriate and inhumane to the patient.

Many nurses have been physically assaulted by this patient. The effect on nursing morale has been devastating. There have been 7 resignations in recent weeks. It has been necessary to employ agency nurses from Adelaide to replace many of these. The Medical Superintendent has corresponded and had discussions with the Regional Director regarding this issue, but there are limited resources in this region for the adequate care of such patients. As a short-term solution the patient is to be transferred to Ward 1, Alice Springs Hospital, for intensive rehabilitation. However, this is not a long-term solution as he will ultimately need extensive, ongoing support from the Department of Health and Community Services, whether it be for institutional care or community-based support. A major difficulty to be overcome before this boy can be considered for accommodation outside of hospital is that of independent feeding. He is currently dependent on gavage feeding for survival.

The second issue of security of nursing staff after hours was triggered by an incident that occurred in the early hours of

New Year's day. An outpatient presented to the Casualty door which is locked at night. He became aggressive when he was not let in straight away and smashed the glass entrance doors to Casualty. He then chased a registered nurse, who was in very real fear of her life. An extraordinary staff meeting was held on 5 January to discuss the safety of nursing staff.

A series of recommendations follows and I do not think that I need to read them out.

Mr Dale interjecting.

Mr BELL: You want me to read them? I am more than happy to do so:

Measures to be implemented to resolve this issue include: perspex to replace glass Casualty doors; video monitoring and intercom system, so that the nursing staff can see who is at Casualty door; 1 extra nurse on night duty to ensure that there are 2 nurses when opening Casualty door; a paging system for Casualty so that security can be called immediately; and police to be given a key to Medical Ward door so that there is no delay when arriving to help in a violent situation.

The contact person is Doctor Randall Greenberg, phone 622202.

Acting Regional Director
Alice Springs and Barkly Region.

Mr Dale: The next line. Read right to the end.

Mr BELL: The next bit is: 'Noted - Don Dale'.

Mr Dale: Which you asked me to do.

Mr BELL: Did you note it?

Mr DALE: They have taken the steps themselves, haven't they.

Mr BELL: Good grief, what sort of an answer is that? The member opposite cannot be taken seriously as a minister of the Crown. On 13 January, he was presented with a note about serious problems in his portfolio area, which he did nothing about and yet, today, he has presented a statement which suggests that there are no immediate problems.

Mr Speaker, I move that the motion to take note of the statement be amended by adding, after 'noted', the following words:

but this Assembly deplores the fact the the Minister for Health and Community Services has failed to report fully, in the statement, on recent publicly-reported incidents involving violent assault against innocent patients, and the actions that he and his department have taken to correct the dangerous and inhumane situation which pertained and may still pertain in some Territory hospitals.

Mr Speaker, the minister has tried to slough off the contents of a report to himself which, he tells me now, he has noted.

Mr Dale: What does it ask me to do? What does the Regional Director ask me to do?

Mr BELL: Mr Speaker, I knew that the minister was fairly limited but I must admit that I did not realise he was that limited. Knowing that he was about to present a ministerial statement on mental health services and having received such a report, I would have thought that he might have included in his statement a paragraph or so for the benefit of the people of Tennant Creek if for no one else who was involved.

If this report, by itself, did not encourage the minister to take a sensible approach to ministerial statements in this House, I would have thought that some other events would have done so. I am referring to the transfer of 2 patients from Ward 9 in Darwin to Ward 1 in Alice Springs, together with the patient referred to in the report. I believe that that transfer has resulted in the patient from Tennant Creek having to be removed to Adelaide with a fractured skull, which gives an indication of why the word 'inhumane' appears in the opposition's amendment. It is more than reasonable to expect that the minister who is responsible for mental health services in the Northern Territory should give some satisfactory explanation of those circumstances to this Assembly. He has failed consummately to do so and he deserves the strongest possible condemnation for that.

Mr Speaker, I seek leave to table this report to the minister.

Leave granted.

Mr BELL: Mr Speaker, that is not the end of the matter although, at this stage, I will deal with the actual statement from the minister. When one considers the plight of the nurses and the staff at Tennant Creek Hospital - not to mention the need for humane treatment of brain-damaged people - and the circumstances in the Alice Springs Hospital which were absolutely foreseeable on the basis of what I have been told about them, some of the phrases used by the minister in his statement are very interesting indeed.

He said that there was a regrettable attitude towards mental illness and mental distress in this country. He said: 'It is interesting to note that, in some countries, people speak openly of mental distress and about the help available from mental health workers. Unfortunately, the attitude of the average Australian appears to be in sharp contrast to such openness'. It seems to me that the attitude of the below-average Minister for Health and Community Services is also in sharp contrast to such openness, given the fact that he presents statements of this sort to the Assembly. A little later, he said: 'I am pleased to be able to report that a progressive and accelerated approach to the development of mental health services has been successful'. That is a blatant lie, Mr Speaker. Tell that to the patients and staff ...

Mr SPEAKER: Order! The honourable member will withdraw that remark.

Mr Dale: No, let him be.

Mr SPEAKER: Order! The honourable member will withdraw that remark, and I do not need advice from the government side of the Chamber. That is my ruling.

Mr BELL: I am sorry, Mr Speaker.

Mr SPEAKER: Order! The words were 'a blatant lie'.

Mr BELL: I unreservedly withdraw the use of the phrase 'a blatant lie'. Let me phrase it a little more carefully and a little more accurately.

The minister said in his statement: 'I am pleased to be able to report that a progressive and accelerated approach to the development of mental health services has been successful'. I do not think that the family of the patient concerned or the staff of the Tennant Creek Hospital or Ward 1 in Alice Springs would be satisfied that that particular statement truthfully reflects the quality of mental health services for which the minister is responsible. In fact, if the thought crossed their minds that that particular statement was a blatant lie, I would have a great deal of difficulty in convincing them otherwise.

Mr Speaker, likewise the self-congratulatory tone of the minister's statement is appalling.

Mr Hatton: Only because it embarrasses you.

Mr BELL: I can see why the members opposite sacked the member for Nightcliff. I wonder if he has actually read the statement or the report which I have just tabled. I have a spare copy and, if an attendant is available, I will ask that it be given to him. He might also like to check out the comments which I made in the adjournment debate on Tuesday night. I think that he will find that they were fairly illuminating as well.

At page 14 of the statement, the minister said: 'Substantial developments have also occurred in the Alice Springs and Barkly Region'. That is an understatement, to say the least. The problem is that the developments have been of a most regrettable nature and the minister has been somewhat less than honest in attempting to inform the public and this Assembly of what those developments are. The minister went on to say that: 'A Director of Psychiatric Nursing was appointed in September 1988 to act as a member of the Mental Health Executive and coordinate mental health services for the Centre'. I want to know whether the minister has received a report from the Director of Psychiatric Nursing about the incidents I have spoken of. What happened in Tennant Creek? What happened in Ward 1 of the Alice Springs Hospital? I think it is about time the minister came clean. It is not as though he is unaware of the existence of Ward 1.

Also at page 14 of his statement, the minister said: 'Improvements to Ward 1 of Alice Springs Hospital, and erection of an enclosed courtyard for patients, will enable the ward to be more flexible and improve its environment. Acute and medium- to long-term patients will be cared for in Alice Springs, reducing the disruption to their lives'. Given the fact that those people's lives are pretty disrupted now, I really wonder whether, in fact, the minister is capable of delivering the services he claims to be able to deliver.

I note with interest that a psychiatric nurse position has been established in Tennant Creek and that the minister claims that 'this government initiative has been a most successful venture'. That flies in the face of the report which I tabled this morning.

Mr Dale: In one case.

Mr BELL: I am afraid that the minister is just not on top of his job. He interjects that it is one case. I certainly hope that the staff at Tennant Creek Hospital hear about this. I am sure that the member for Barkly will see to that and, if he does not, I will certainly do so. The minister and his henchmen opposite do not care a fig for people who are delivering these services, people who are working at the coalface. The minister has made the situation in such hospitals so intolerable that the regularity of resignations is compromising services even further.

Mr Dale: Garbage.

Mr BELL: The minister tells me that is garbage. The fact is, however, that that is what the report says. Obviously, the minister was not listening. I will quote from the report to refresh his memory: 'The effect on nursing morale has been devastating. There have been 7 resignations in recent weeks. It has been necessary to employ agency nurses from Adelaide to replace many of these'. I wonder what the cost has been. The minister's behaviour is outrageous, Mr Speaker. He sits in this Assembly and pretends that such problems do not exist. Not only does he not report them to this Assembly; he imagines that they do not exist.

At page 19 of his statement, the minister says that his department is planning to develop adequate resources for the appropriate care of people whose illness takes a chronic or recurring form. That, at best, is an attempt to gloss over what has been said.

I have demonstrated the minister's total lack of capacity to deal rationally and humanely with his portfolio generally, particularly in respect of mental health services. That contrasts dramatically with the minister's zealous approach to self-promotion. I have here a memorandum to CMT members from the Secretary of the Department of Health and Community Services. It relates to a departmental campaign and, if the minister's capacity for ignoring mental health services is deplorable, his capacity for self-promotion is worthy of the loudest applause. Mr Speaker, I seek leave to table the memorandum.

Mr SPEAKER: Leave is not granted.

Mr BELL: Mr Speaker, may I confirm that this government has refused permission to include on the public record an official document which has come into the possession of the opposition because it is of such serious embarrassment.

Mr Dondas: Read it out!

Mr BELL: Mr Speaker, I trust that I will be given an extension of time.

Members interjecting.

Mr SPEAKER: Order! The member for Casuarina will cease interjecting.

Mr BELL: This is outrageous, Mr Speaker. Members opposite are so embarrassed about a piece of paper with a few little marks and words on it that they will not even allow it to be incorporated into the Parliamentary Record. What a bunch of heroes they are! I will leave my colleague the member for Stuart to read it out slowly and in its entirety. Goodness me, I have not had so much fun for a long time!

It is interesting to see that members opposite show no embarrassment about their failure to deliver mental health services adequately. They are prepared to have people treated in inhumane conditions, people who cannot look after themselves and whose families cannot look after them. They are prepared to leave such people in inhumane circumstances, where anybody who has had the slightest acquaintance with them would say that action is demanded. They are prepared to run that risk. They are prepared to subject hard-working staff to the risk of violence and they are prepared to allow the tabling of documents relating to that but, when it comes to something that relates to the minister's capacity for self-promotion, when it concerns the minister using departmental resources to make sure he gets his mug seen wherever he possibly can, they get upset. This is a lovely bit: 'Significant events. We are currently in the process of compiling a calendar of events on a department-wide basis to assist the minister's diary planning. Events that offer a more personalised involvement of the minister are of particular interest'.

Mr DALE: What is wrong with that?

Mr BELL: The other favourite is the presentation of cheques, getting the minister photographed when he is making the presentation of cheques. Grants-in-aid programs, Mr Speaker, any opportunities ...

Mr Poole: How many vehicles have you had, Neil?

Mr Hatton: Perhaps we should talk about Mr Hawke's program for self-congratulation.

Mr BELL: Now I have got them going, Mr Speaker! This is terrific! Goodness me, they are covered with embarrassment.

'Any opportunities for major cheque presentations should be considered and brought to the minister's attention through the normal channels'. Well, I can give him a few examples of situations where he might like to make some major cheque presentations. For example, he might make major cheque presentations to his beleaguered staff in Alice Springs and Tennant Creek, and a major cheque presentation that will allow humane treatment of brain-damaged patients.

Mr DONDAS (Casuarina): Mr Speaker, I had no intention of speaking in this debate on the minister's statement but, as the member for MacDonnell has been carrying on in an unusually light-headed manner for the last 30 minutes, I think it is necessary to make a few points.

The member for MacDonnell did not once mention the resources that are going into mental health services in the Northern Territory and I think that is a shame because, in a very comprehensive statement, the minister made some mention of the various facilities and functions provided by the Department of Health and Community Services. In particular, a paragraph at page 18 of the statement really sets out the minister's concern for his department and its function in regard to providing services to the mentally-ill. I will read that paragraph out for the benefit of honourable members.

I would not pretend that our work in this area is complete. A great deal more needs to be done to refine services and introduce new programs. Existing programs are, of course, under constant review to ensure an appropriate focus is maintained. The government's current expenditure is \$5.4m per year.

I believe that that particular statement really does wrap up in a very simple manner the areas of concern that the Minister for Health and Community Services has. Really, he has said that he knows that, whatever we do, it will never be enough, but that we are improving the facilities and services each year. The statement goes on to say that we are improving facilities in Tennant Creek, Alice Springs, Katherine and Darwin. No acknowledgement of that was made by the member for MacDonnell. For 30 minutes, all the member for MacDonnell did was yell at us. We do not need to be yelled at, Mr Speaker. Now he has left the Chamber, obviously to go out and do his PR with the press. He was playing an acting role for the media representatives who were in the press gallery a few moments ago and now, instead of staying in the Chamber to hear what I have to say, he has gone to talk with them. He has moved an amendment ...

Mr Ede: The people of the Northern Territory blowing the whistle on you. That is what it is called.

Mr DONDAS: Oh, blowing the whistle! Listen to the interjection of the member for Stuart: the whistle! I have a whistle and the whistle has not been blown on your crowd yet. You wait. Your time will come too, when you talk about whistles.

More importantly, I believe that, in the last 2 or 3 years, the Department of Health and Community Services has really addressed the very serious problems involved in providing services, not only in the regional centres but also in the remote areas of the Northern Territory. I know that our Community Health Service, through the Aboriginal Section of Community Health, has been monitoring what is happening in those communities.

Today, the member for MacDonnell has raised 2 particular instances. What about the thousands of instances that go through the books each year, and the problems that are associated with the courts and offences? As the honourable minister said, changes will not be effective and will not be given any great consideration by the community overnight. It will take time. I believe the assessments and the reports that have been done on the Northern Territory services provided to our community have been assessed by other health services throughout Australia, and my understanding is that those assessments put the Northern Territory far in front when compared to some of the states.

Mr Ede: It does not. It says the aims are all right.

Mr DONDAS: Nevertheless, it is saying that the services which we provide are equal to, if not better than, those in the larger states which have had the infrastructure. What has not been mentioned here today is that we inherited a deficiency of infrastructure to care for those people who were mentally-ill. The member for Stuart knows, as does the member for MacDonnell, that until 1978 to 1980, most of our mental health patients were sent to South Australia. Some 22 or 23 of our patients are still there, and we are trying to bring them back into the Northern Territory, but we cannot do that until we have the facilities, and it takes time to put the facilities in place. But we are working on it.

I believe the attempt to denigrate the Minister for Health and Community Services today is a disgusting move by the member for MacDonnell. It is not an easy task that the minister has. It has not been an easy task. I was a health minister for a number of years and I know what it was like. At least today, the practices, aims and policies are being put in place. That is exactly what the minister is doing today. That will not take effect in 1989

or 1990. Another previous Minister for Health has just walked through the door and is about to sit down. He will confirm what I am saying. It takes years for services and policies to reach maturity.

Mr Ede: 10 years?

Mr DONDAS: He sits there and says, '10 years'. He has not been in this place for 10 years, and really he has nothing to say as far as I am concerned.

More importantly, we have not had the capacity to train staff. Until 12 or 18 months ago, when the Director of Health Services was appointed, we had been unable to attract staff. Since that time, the director has been able to encourage higher-level training in that area.

I could not sit there and cop what the member for MacDonnell had to say. He is not even in the House, now. When he wanted to table a document relating to what he called the 'self-promotion' of the minister, I had every right to refuse because it had nothing to do with this debate. Everything he said had nothing to do with the debate. He did not pick up any of the points made by the minister in his 25-page statement.

I know that, in his reply, the minister will deal with some of the things that have been raised by the member for MacDonnell. All I can say to members opposite is that the provision of health services, especially psychiatric services, takes time and money. The minister told us that \$5.4m is to be spent this year for a population of some 165 000 people. On a per capita basis, that is more than is spent in Tasmania, in Western Australia or in Victoria. All the member for MacDonnell can say is that there are no services and that members on this side of the House do not care about psychiatric patients. That is a load of bunkum!

Mr EDE (Stuart): Mr Speaker, it has been quite some years since I first saw the effect of the problems that we have in the Northern Territory. In 1980, when I was Director of the Central Australian Aboriginal Congress, moves were afoot to move psychiatrically-ill patients from South Australia to the Northern Territory. At that stage, the congress conducted the Alcohol Rehabilitation Unit on Emily Gap Road. We were approached by people at Hillcrest who indicated that they had a patient whom they regarded as being fairly inoffensive. He was not improving but he had reached a stable condition. They wanted to send this person back. Any honourable members who have had anything to do with the treatment of alcoholics would know that there are enough problems without mixing psychiatrically-ill persons with them. Despite considerable pressure from Hillcrest, we refused for some time. The DAA, which was our funding body, kept telling us that we ought to do the right thing. We pointed out that the reality was that the person had committed offences against tribal law and that there was a danger that he would not be safe if he returned to central Australia.

Finally, we had an incredible telephone conversation in which a woman from Hillcrest said: 'It might be the best thing, in the end, if the person is executed under tribal law because there is nothing that we can do about it'. In rather abrasive terms, I said that that was all very well in terms of Hillcrest's problem but that any person who was provoked into committing that offence would face the full force of the law. Alternatively, the patient himself could become violent and perhaps kill somebody. I was quite surprised when, lo and behold, the day came when that person arrived: Carl Jabanardi.

Mr Hatton: We all know that name really well.

Mr EDE: Yes, we do. That is how Carl Jabanardi came back to the Northern Territory. He was dropped at the front gate and that was it. How does one look after someone like Carl Jabanardi? He wandered the streets of Alice Springs for several months and he used to be quite a sight, racing at kids as they ran away laughing and carrying on. It seemed that he was one of the local characters until, one day, he decided that he had had enough of this treatment.

Mr Dale: It is absolutely pathetic to use people's names like this.

Mr EDE: Sit down.

One day, he picked up a picket and killed an innocent person, someone who had nothing whatsoever to do with his situation. He should never have been released. There was no request whatsoever for him to come back to the community. An institution simply decided that it did not want to carry out its function any longer and decided to dump him on the community again. Who bore the brunt of that? The family concerned.

Mr Speaker, that person has since done the rounds of the institutions here and the difficulties of looking after him have often been referred to by magistrates. He has been moved from the prison system to the hospital system and so forth, and his case has often been referred to in newspapers, particularly in Alice Springs. Magistrates complain about the problems they face when individuals are brought before them time and time again. Honourable members from the Centre will know the individuals concerned and be familiar with the frustration expressed by magistrates with the fact that the assessed needs of these individuals are not being met.

Mr Dale: Use the past tense. They are being met now.

Mr EDE: We will examine that claim in due course.

Mr Speaker, this matter last came to a head towards the end of 1986, when magistrates in Alice Springs expressed enormous concern because the criminal justice system was not able to adequately handle behaviourally-disturbed offenders. They said that those people were a major threat to the community and were on a judicial merry-go-round, spending intermittent periods of time in prison between periods in the community during which they engaged in activities which could only be described as socially unacceptable. The then Chief Minister established a working party to investigate the needs of the behaviourally-disturbed. A similar working party had been established a year or 2 earlier. Both working parties came to similar conclusions and, prior to the last election in 1987, the CLP incorporated those in the form of election promises. One was the promise to establish an assessment team in Alice Springs. This team would assess the psychiatrically-ill to see whether they were behaviourally-disturbed and it was to comprise a psychiatrist, a psychologist, social workers and support staff.

Mr Dale: That has been done.

Mr EDE: It has not been done. The staff are not in place.

Mr Dale: You are wrong again.

Mr EDE: Are you telling me that a psychologist, psychiatrist, social workers and support staff are working in an assessment team in Alice Springs?

Mr Dale interjecting.

Mr EDE: I see. You have just redefined the composition of an assessment team.

Mr Dale: No. I have done what I have been able to do, given the difficulties of recruiting some of the staff you mentioned.

Mr EDE: All right, you have done something. Mr Speaker, the government has not done what it promised to do before the election. The fact of the matter is ...

Members interjecting.

Mr SPEAKER: Order! The Minister for Transport and Works and the member for Nightcliff will have an adequate chance to participate in this debate. Meanwhile, the member for Stuart will be heard in silence.

Mr EDE: Mr Speaker, I believe that the government first talked about the integration of this service in 1985. I believe that 2 psychiatrists were to be involved originally, 1 from the private sector and 1 from the public system. In any case, the promise specified a psychiatrist, a psychologist, social workers and support staff. The fact is that those staff are not in place and the minister's statement bears that out. At page 6 of his statement, he talks about in-patient services at the Alice Springs Hospital. He tells us that the aim of such services is 'to provide an efficient, effective, high-quality mental health assessment and treatment service to Northern Territorians'. We have no problem with that aim. It is excellent and we agree with it. On the next page, however, the minister says that 'programs currently in place are both comprehensive and integrated'. Mr Speaker, that is not so. They are not comprehensive.

Mr Hatton: Prove that statement.

Mr EDE: The minister's own working party identified what was needed as far as an assessment team was concerned. We do not have such a team and the minister can attempt to rebut that at his peril. He does not have the comprehensive team which he claims to have.

Mr Dale: If you are so knowledgeable about it, tell us who is missing.

Mr EDE: Mr Speaker, let us have a look at the extent of the problem in Alice Springs. In early 1987, a survey indicated that there were some 80 people with behavioural problems in the Aboriginal community in central Australia. A number of recommendations were put forward to deal with that problem, including community-based options and secure facilities. Recent episodes in Alice Springs involving assaults on 2 patients in Ward 1 clearly reveal that the current system is inadequate. No one is safe and that includes the patients, the staff, and the visitors.

Mr Speaker, the opposition's difficulty with the minister's statement is that he has attempted to sweep the problem under the carpet. He says that he has a comprehensive, integrated service, meaning that the problem is solved.

Mr Dale: No.

Mr EDE: He talks about being way in front of the rest of Australia, and the member for Casuarina says the same thing.

Mr Dale: It is true.

Mr EDE: Mr Speaker, that is not the approach of a minister who acknowledges the problems and is working towards overcoming them. The minister's lack of action in this area compares unfavourably with his self-aggrandising approach, which was exemplified in the memorandum which the member for MacDonnell was not permitted to table. I am sorry if some members find the pathetic attempts at self-promotion by the minister to be boring. However, the only way that we can get extracts of this nature into the record is to read them out. I have only 7 minutes. I will read as much as I possibly can in that time.

Mr Dale: I will table the document when you finish so that people get the whole story.

Mr EDE: Excellent. Mr Speaker, if the minister will table the entire document, I will read out some extracts. It is a memorandum, dated 30 January 1989, to CMT members from the Secretary of the Department of Health and Community Services. The subject is a departmental campaign:

You may recall, in late October, the minister suggested that the department undertake a promotional campaign of departmental services. Originally, this was to include multi-media material. The minister has now agreed in principle to a number of initiatives which form the components of a campaign as outlined below.

It then deals with market research, discussing indicators of how the public sees departmental services and so forth. It then moves on to the grants-in-aid program. Having decided to do some research to investigate how people perceive the department and its services ...

Mr Dale: And how are we going to market that?

Mr EDE: I will tell you how we are going to market that.

Mr Dale: All right.

Mr EDE: We are going to feature the minister's photograph. Great stuff! Are we talking about the public service or are we talking about the minister? If anything could be designed to scare people away from health and community services, it would be the minister's photograph. However, that is not the real point. If the minister is unfortunate enough to have such a face, he should be kinder to the people of the Northern Territory and not splash it all over the newspapers.

Mr Speaker, then we come to little policy glossies. It says that: 'The minister has a busy agenda in the Legislative Assembly'.

Mr Dale: Dead right!

Mr EDE: Oh yes, 29 days a year is his busy agenda, Mr Speaker. Obviously, that features heavily in the minister's workload.

Mr Dale: I did not write that. That is an observation made by somebody else.

Mr EDE: Where were you? Obviously, a standard remark when people cannot find him anywhere around the department is that he is in the Legislative

Assembly. Is there somewhere here, Mr Speaker, where ministers hide when we are not around? It is quite an amazing statement.

It continues: 'It has been agreed that these will be translated into summarised, more personalised versions which are going to be distributed to the public and possibly published in newspapers to coincide with the minister's statements and be ready for distribution as close to the minister's statements as possible'. The whole thing is an aggrandisement of the minister, not of the services.

Mr Palmer: It is all about an involved, caring minister.

Mr EDE: Oh, come on!. Caring about his re-election. Caring about trying to move a little higher in the ministerial pecking order.

'Significant events: we are currently in the process of combining a calendar of events on a department-wide basis to assist the minister's diary planning'. The minister does not know what the department is doing and it will try to tell him what is going on. 'Events which offer a more personalised involvement of the minister are of particular interest. The forthcoming Marrara 5th Birthday Pageant and the July show circuit are ones in which the minister has shown interest'.

Mr Dale: As we have always done.

Mr Tuxworth: And the bubble bath.

Mr EDE: Yes, I think the bubble bath is coming up. Mr Speaker, I heard recently that the minister was trying to bring together all the volunteers who worked at the last Masters Games in Alice Springs for a barbecue.

Mr Dale: I have not heard about that one.

Mr EDE: That might have been effective immediately after the Masters Games, but they were held some 6 months ago now.

This was put to me in the context of its bearing out some remarks made by the member for Barkly in respect of another significant event that may occur later this year. In fact, the most significant event in any honourable member's calendar would be an election. Anybody who read that document would realise that all those significant events were building up to one major event - an election. The minister knows that he is down the drain. Because he does not have the resources or the ability himself to command re-election, he has decided to tap the resources of the department in a last desperate attempt to see if he can make it over the line.

Mr DALE (Health and Community Services): Mr Speaker, it is pleasing to have this chance to speak to the amendment which, of course, we will be opposing. We have had interjections from the member for Barkly, the champion of press releases, about bubble baths at the Nightcliff pub.

Mr Tuxworth: You are the one who wanted to have bubble baths and condoms at the Nightcliff Hotel.

Mr DALE: We have heard the member for Stuart raving on about a document that was stolen from the department. That reinforces a statement made previously in this House by the Leader of the Opposition that he endorses such actions by public servants and that, if he were a public servant, it is a

policy that he would adopt. This is well and truly off the subject of the amendment, but I am sure that I will be allowed to speak in rebuttal of what the member for Stuart and the member for MacDonnell spent half their time talking about. The 2 members have no knowledge whatsoever about mental health services in the Northern Territory. They cited a couple of cases and moved on to irrelevant topics. However, I will go through the process so that we can put their criticisms to bed.

Mr Speaker, I will even read out the memorandum which caused this initiative from the secretary of the department. It is dated October 1988:

The way the 1988-89 grants program has been handled in the department appears to me to be a clear indication of the value of amalgamation. I believe that it is time to make the general community more aware of the success of the amalgamation and of the role of the department in providing the services which are enjoyed throughout the Territory. Attached is an outline of a publicity campaign. Such a campaign would inform people of the availability of services and emphasise the value of health and community services. The message would be positive and would dovetail with the thrust of government policy to encourage people to have confidence in the future of the Territory. To gain maximum value for the campaign, we would need to start quickly.

Not before an election, Mr Speaker, which will not occur for some 2 years.

Discussions on the draft plan and associated matters between appropriate officers of my staff could commence immediately.

I table that document, Mr Speaker. Likewise, I table the strategy that has been suggested by the Secretary to the CMT members on how best they could go about that particular campaign so that people have it in its entirety. I believe that it is incumbent on me as minister for a department that has the task of distributing various services and various grants-in-aid - pensioner concessions, grants for child-care facilities, grants for sporting facilities of community-based organisations etc - to ensure that the people of the Northern Territory are fully au fait with all of those services and can avail themselves of them.

A little while ago, I made a 60-page statement in this House in relation to services to Aboriginal communities in remote areas. Many people in those communities do not have the opportunity to listen to what is said in this House or to read documents that might be tabled in this House. What happens is that the members responsible for those areas go into those communities and misrepresent what has been said. More importantly, they misrepresent what is available to all of the people of the Northern Territory.

We are deliberately issuing what the opposition refers to as 'little glossies' so that, in a succinct form, the people in those communities are made fully aware of the services that are provided for them by my department. The PAT Scheme is something on which people need to be fully informed. I do not resile from my position. I will continue to publicise all the services provided by the department. I have tabled those documents so that any person who wishes to know what has been done within the department can have the facts. If people want the real picture, they should talk to us rather than to members opposite.

We will not be supporting the amendment. As I have said many times in this House, I will not talk about individual cases in a public forum simply to gain political points or to appease the political point-scorers on the opposite benches. I have a fundamental personal problem with exploitation of people who find themselves in a situation where they require psychiatric treatment and exploitation of their families. I can give a guarantee that, where there are odd cases like those cited by the honourable member opposite, I have them fully investigated. I ask the relevant questions. I ask, for example, why the persons concerned were there. The person that the member for MacDonnell cited was, in fact, in Ward 9 and was transferred to Alice Springs. That was not done on my advice. I did not go for a wander around Ward 9 and say: 'Oh, it's time that guy had a trip to Alice Springs. Let us have some fun and send him down there and see what happens'. That is not what happens. These people are moved and are treated according to the advice of experts in the Department of Health and Community Services. Those experts are second to none anywhere in Australia, and I challenge any member opposite to step outside the door and query the credentials of the people who make the decisions on where these patients are and what treatment they are receiving.

In trying to gain political points through exploitation of these patients, members opposite denigrate the professional people working in all areas of the Department of Health and Community Services. Mr Speaker, you will recall the words I used in that memorandum to my department saying that we should make the people of the Northern Territory more aware of the services we are providing. One of our fundamental reasons for doing that is to maintain the confidence of the people of the Northern Territory in the services that are being provided so that they do not listen to the quick, headline-grabbing stories of all those members opposite who wish to exploit people who are sick and the families of those people. Members opposite are pathetic in their endeavours to gain some ground.

Any sane, rational person who reads the document that I presented here today will acknowledge that, certainly in recent years, this government has been doing everything possible to increase and maintain a very high standard in the delivery of services to the mentally-ill. Any day members opposite want me to, I can cite a couple of cases that will excite them in their pursuit of a few political points. However, as I said earlier, there are almost 10 000 cases every year in which people in the Northern Territory receive treatment for psychiatric problems. For those people to be tagged with the Rambo nonsense used by members opposite in their efforts to exploit 1 or 2 situations for political purposes, is absolutely pathetic politics.

Mr Speaker, I rest my case. The government will not be supporting the amendment.

Mr TUXWORTH (Barkly): Mr Speaker, speaking for myself, I would like to say to the honourable minister that he can put his photograph on as much material as he likes and circulate it as far as he can because it can only enhance opportunities for people on this side of the House. He should not be deterred from doing that. We appreciate it.

I would like to pick up a couple of points about the minister's reference to exploitation of patients for political gain. In my view, the only thing that is more serious than that is the abrogation of responsibility and the complete contempt that the minister shows for people who are not able to care for themselves. There are plenty of examples of that right throughout the Northern Territory, and I do not think it is necessary today to go into all of the individual cases.

Mr Dale: No, you have only got one.

Mr TUXWORTH: Mr Speaker, if the minister will be patient, he will have plenty to talk about when I am finished because I will give him plenty to talk about. He has a reputation for having reduced mental health services in the Northern Territory to an absolute mess, and the staff of the Department of Health and Community Services are appalled at the conditions under which they have to work. The honourable minister would have us believe that things are going well. I would like, however, to pay a tribute to those people in the minister's department who work under very difficult conditions, trying to provide good services to those people who can be helped with the resources available.

The reality of mental health care is that there are so many degrees of mental disability that it is not possible to put out a 25-page statement announcing half-a-dozen major priorities and say on that basis that the government has taken care of the mental health of the people of the Northern Territory. That is absolute nonsense. The minister knows it and everybody in the community knows it. What the minister has praised himself and his department for in his statement today may well be true. Many good things may be happening and it is obvious to many people that some certainly are. But there are shortcomings. Pretending that they do not exist and that the people who complain about them are just a bunch of political carpetbaggers is the height of cynicism.

I will read into Hansard a letter to the minister from a group of people in Tennant Creek. It goes hand-in-hand with the document read out a moment ago by the member for MacDonnell when he was making his point. These are not isolated cases. There is a continuous, running sore of cases which have nothing but neglect to identify them. This letter is written by a group of concerned citizens: church people, departmental people, health care people, people who deal with the handicapped, Aboriginal people and other members of the community - I think even the police force is involved in it. These are people who are concerned about the situation.

My dear Minister,

We, a group of concerned citizens, wish to draw to your attention the current appalling situation regarding the plight of disabled persons in Tennant Creek and the Barkly region. The facts are the human rights of intellectually, behaviourally and physically disabled persons are being grossly violated. We urge you to act immediately to provide assistance in accordance with the principles of the 1986 Disability Services Act so that disabled persons can attain a reasonable quality of life with respect for their human worth and dignity. In the short term, this can be achieved through:

1. the allocation of further attendant care places for Tennant Creek;
2. the funding of the HACC proposal by Anyinginyi Congress as a matter of urgency; and
3. providing accommodation as a short-term strategy.

In the long term, these objectives can only be attained by establishing full residential care facilities in Tennant Creek. A special meeting of agencies who are involved in the delivery of

services to disabled persons was called in Tennant Creek on 21 December and the following agencies were represented: the Department of Health, the FORWAARD Centre, the Anyinginyi Congress, Julalikara and Julalikara Homemakers.

Now I will move on to the section of the letter which deals with the current position:

For the past 12 months, the Tennant Creek Hospital has provided respite care for a number of disabled persons, resulting in huge costs to the Department of Health, both in financial and human resource terms. The costs involved in hospital respite care days, not including days of acute medical care, are as follows.

I will delete the patients' names and just say patient A, B, C and so on.

Patient A: 209 days at \$285 a day - \$59 565; patient B: 150 days at \$285 a day - \$42 750; patient C: 107 days at \$285 per day - \$30 495; patient D: 150 days - total cost \$42 750; and patient E: 90 days at a total cost of \$25 650.

The total cost for these patients: \$174 210.

The human cost is much more important than the financial cost in terms of managing the department.

- (A) From the point of view of the hospital staff: nursing and other staff have been physically abused by some of the above persons who react violently to the hospital environment. Morale amongst the Tennant Creek nursing staff is low. Nursing staff are not trained to deal with disabled persons who are extremely demanding. Due to the time spent with these persons, they are often forced to deliver a standard of care to acute medical patients that is less than satisfactory. In order to control these patients, staff are forced to witness the blatant abuse of human rights which is occurring.
- (B) The rights of intellectually, behaviourally and physically disabled persons: people with disabilities receiving services have the same rights as other members of Australian society to receive those services in a manner which results in the least restriction of their rights and opportunities. Two of the above persons ...

I will not mention their names, but the minister has the letter,

... are frequently shackled and tranquillised in an effort to control their behaviour in hospital. Given the appropriate resources, we believe both of these people could be managed in a manner resulting in less restriction of their rights and opportunities without the need for such inhumane measures.

People with disabilities have the same rights as other members of society to realise their individual capacity for physical, social, emotional and intellectual development. We recognise the excellent role that the FORWAARD Centre plays in providing these services. However, due to the non-existence of respite and residential care in Tennant Creek, a number of these persons are forced to live in

substandard and unsatisfactory situations in the community, thus denying them the chance to realise their full potential as human beings.

Although these persons are being cared for by their families, again due to lack of respite care services, the families often become exhausted and frustrated, resulting in the temporary abandonment of these persons, leaving them to fend for themselves. This results in hospital admissions, further reducing their capacity to retain a reasonable quality of life and at a greater cost to the Northern Territory government. Not only is it economically ludicrous to be using an acute medical hospital for respite care, it is also clearly causing the violation of human rights of intellectually, behaviourally and physically disabled persons and further violates the rights of the hospital staff.

The right of disabled persons to live in their own community and receive services specifically tailored to their needs is clearly stated in the 1987 Commonwealth Disability Services Act. Furthermore, the legislation also makes specific reference to people who experience a double disability because of their origin.

As an advocacy group acting on behalf of the intellectually, behaviourally and physically disabled persons in Tennant Creek and the Barkly region, we implore you to make available funds for the attendant and personal carers for the Tennant Creek and Barkly area, housing through the Department of Lands to relieve the current crisis in Tennant Creek Hospital, and to establish full residential care with associated costs in Tennant Creek. We look forward to your response.

Mr Speaker, that is not the first letter which the minister has received on this subject. I wrote to the minister last year pointing out to him that 2 intellectually-disabled persons had been forced on the Tennant Creek Nursing Home to a point where the nursing home was no longer able to nurse and care for those people or the other patients in the home. When the nursing home cracked crook about it, the doctor at the hospital said to its administration: 'If you want to know what is good for your next cheque and government support for this home, you will go along with this, take the people and keep your mouth shut'. That is how we are nursing the mentally, physically and other handicapped people in the Northern Territory. It is not satisfactory. There are some areas in which the provision of services is good, and the government is to be complimented on that. However, there are certainly areas in which we are falling well behind.

I applaud any measures which move people out of institutional care and enable them to stand on their own. However, the fact of the matter is that, in terms of nursing the mentally-disabled, there will always be people who are incapable of looking after themselves. Those people need to be under constant surveillance so that they do not harm themselves. They possibly need to be nursed for 24 hours a day with constant care. There are some people, whom I might go so far as to describe as criminally-insane, who may need to be restrained for the greater part of their lives in an environment which, Mr Speaker, you and I would hate to have anything to do with. This is where our system is lacking. There is nowhere in the Northern Territory where such patients can be placed in a suitable environment and cared for satisfactorily and with some dignity.

It is no good telling people such as the staff of Royal Darwin Hospital, the people who live on the campus and the patients, that all is well because the difficult, mentally-handicapped patients are now in a ward on the other side of the campus. That does not wash. There is nowhere in Australia where the more severely psychiatrically-handicapped patients are housed on an ordinary general hospital campus. There are certainly places where beds for psychiatric patients are provided as part of a revolving-door service in general hospitals and that is appropriate. We should not, however, accept the proposition that that is where we should house psychiatrically-disabled people who need to be constrained.

Mr Dale interjecting.

Mr TUXWORTH: Mr Speaker, if the minister will listen, he will be able to have his say in a few minutes.

In the Northern Territory, we need a proper facility to handle, contain and provide nursing care for those psychiatrically-disturbed people who cannot be left in an ordinary environment, either because of the type of nursing that is involved or the security required to protect the patient or other people in the community. During the last 12 months, a number of incidents have occurred involving psychiatric patients at the Royal Darwin Hospital. One patient wandered into the maternity ward. More recently, a patient was found in the accommodation of one of the doctors on the hospital premises. The most recent incident involved a patient in Alice Springs who caused damage to another psychiatric patient. An Aboriginal person, who had been heavily sedated to travel from Tennant Creek, was mauled by another patient when he arrived at the Alice Springs Hospital. Because he was so heavily sedated, he did not have a hope of caring for himself.

Mr Dale interjecting.

Mr TUXWORTH: If the minister wants to reject this, I am happy for him to do so. It is, however, what the hospital staff are saying.

I say to the minister that there is no reason why anybody in the Northern Territory, who is admitted as a patient to one of our general hospitals, should have his personal security put at risk because there are patients in the hospital who are likely to be violent or to interfere with other people. That is not acceptable and there is no reason why we should have to put up with it. Sooner or later, the minister will have to come to grips with the establishment of a proper facility.

Another reason why he will have to do that has been raised by other honourable members. It is that the nursing of the psychiatrically-disabled is a special and most delicate form of nursing which has a high burn-out rate, which the minister will confirm. It is very difficult to attract psychiatric staff anywhere in Australia. Such staff are very hard to come by and, if we wish to attract a continuous flow of psychiatric staff, which is what we need in all areas of our medical services, we will have to provide proper facilities for them to work in and for patients to be looked after in, otherwise, staff will simply say: 'I do not have to work in this sort of environment. If this is the way you treat your psychiatrically-disabled, go ahead, but I am off'. That is what happened at Tennant Creek, where 7 nurses resigned because they feared for their safety as a result of the interference of the patients.

Mr Dale: That is what happened at Hooker Creek when Gough Whitlam took the nurses out.

Mr TUXWORTH: Mr Speaker, the minister might think that is normal and acceptable, but other people say that they should not have to cop it. The patients in the Tennant Creek Hospital do not think that they should have to cop it and the staff who are working in that environment say: 'We do not have to do this. We can get a job anywhere'. That places the patients at an extreme disadvantage. I would invite any member of this House to visit the Tennant Creek Hospital and see the environment in which psychiatric patients live and the lack of opportunity available to them. They need to have a little dignity in their lives. The staff of the hospital are just beside themselves, saying: 'We spend so much time keeping our eye on them, mainly to ensure that they do not harm themselves, that we do not do a proper day's work and are completely exhausted when we do go home'.

Mr Dale: Do you want a 1-on-1 situation?

Mr TUXWORTH: The minister talks about 1-on-1 situations. Mr Speaker, in some psychiatric facilities the ratio can be 3 to 1 or more. That is what makes the provision of these services so difficult. However, we cannot walk away from it. We have to do it because, 3 years ago, South Australia said that it would not handle any more of our patients.

Mr Dale: You sent them down there and I have got them back.

Mr TUXWORTH: Mr Speaker, the minister says that he got them back. He is not even looking after the patients we have here. He can talk about what a great job he is doing but, out in the community, it is obvious to anybody who wants to look that the system is being run very badly. The minister is not in control. No one is. The system limps on from one day to the next, and the majority of hard-working staff are beside themselves because they are getting no support. What is needed is proper facilities and additional staff who are trained in the care of the psychiatrically-disabled.

Mr Speaker, there has been a great deal of yelling, screaming and carrying-on this afternoon and, if I have contributed to it, I am sorry. I do not think it is an issue to yell and scream about. We have reached the stage where facilities must be provided. If the minister is saying that that will not happen and that we will continue to live with what we have, there is more hell in store for outpatients, people who work in hospitals and other patients. That is not reasonable and the minister needs to give a pretty fair explanation as to why we should not be building a proper facility now, a facility which is obviously needed.

Over the last year or two, I have had cause to raise the issue of handicapped and disabled people with the minister on several fronts. I do not know whether the minister goes out of his way to be difficult or just does not care. In one or two of these cases, he made quite a name for himself. That is a matter for him, but his job is not to put one over on me or have a bit of fun with me. His job is to care for those people who cannot care for themselves. The people I am talking about this afternoon have no capacity to stand up in public and put their case for a better deal. What I am saying to the minister is that they deserve a better deal and they deserve to be listened to. The people who are supporting them also need a great deal of help and it is not too late to give it.

Mr HATTON (Nightcliff): Mr Speaker, I would like to address a number of matters which have been raised in this debate and to put them into context.

During this debate, the member for MacDonnell, the member for Stuart and the member for Barkly have all implied that the Minister for Health and Community Services has come into this House and presented a very lengthy ministerial statement on the theme of: 'Look how wonderful we are'. 'Self-congratulatory' is the term that has been used and those members have agreed that the minister was saying that everything is wonderful and nothing else needs to be done. In response, all I can say is that either they did not read his statement or were not listening to it. The minister had the audacity to tell the community what is going on. He had the audacity to come into the parliament of the Northern Territory and tell people what is occurring in the departments for which he has responsibility. Is that a tragedy? I do not think it is.

I would like to make the point that the minister is not saying that everything is sweet and we do not have to do any more. At page 18 of the statement, the minister says:

I would not pretend that our work in this area is complete. A great deal more needs to be done to refine services and introduce new programs. Existing programs are, of course, under constant review to ensure an appropriate focus is maintained. The government's current expenditure is \$5.4m per year. Over the next 5 to 10 years, initiatives will occur which will put the Territory in the forefront of progressive mental health services in this country. It is our intention to focus on primary prevention and introduce the first comprehensive mental health prevention, education and promotion program in Australia.

Does that sound like somebody who is saying that everything has been done and there is no need to think about matters any further? Far from it. The minister is comprehensively outlining to the people of the Northern Territory the stage our services have reached and what he and the department will be doing to develop those services in the future. In the provision of any services, particularly physical and mental health services, the reality is that nothing is perfect or fully developed. All services can be improved.

That should not be the test in this Chamber. The test should be whether problems are being addressed, whether there are moves to improve services and whether resources are being directed responsibly to the enormous tasks that confront the community. If we apply that test to this statement and to the work of the Department of Health and Community Services, we must say that the department and the minister pass with flying colours. I remind honourable members of the events of 1985 and 1986, and the concern in the community about the lack of care for emotionally and mentally disturbed people. Mr Speaker, do you remember the debates that occurred, the controversy, and the comments of magistrates, particularly in central Australia? The gentleman to whom the member for Stuart referred featured in a number of those debates. There were many others, and there was a real problem.

For many years, emotionally disturbed or seriously mentally disturbed people were transferred to South Australia for treatment. Later, even though our government offered to pay the costs, South Australia was no longer prepared to receive Northern Territory patients. Moreover, it said that we must take back patients already in South Australia. There were no facilities in place in the Northern Territory. The matter had not been addressed because

the needs were being met through South Australia, and that was probably the most economical resolution at that time.

I must digress to say that I found it repugnant to hear the moralising claptrap that came from the member for Barkly this afternoon. He was a member of Cabinet from day 1 of self-government and is an ex-Minister for Health. He was a Chief Minister of the Northern Territory and, during that entire period, he did nothing about the problem. For him to stand in here and moralise is disgraceful. In the last 3 years, CLP governments have seriously and comprehensively addressed the issues at hand. They have allocated resources and hired staff in their efforts to overcome the problems. Mental health issues featured heavily during the last election campaign and the CLP put comprehensive plans before the Territory people detailing the measures we would take to address the problems during the life of this parliament.

In this ministerial statement and previous statements, the minister has informed the parliament of our record in honouring the undertakings which we gave to the electorate. He has also indicated that research is continuing in assessing what will be needed in the future. That is not a cause for denigration of the minister. He should be praised, firstly for doing what the government undertook to do and secondly for explaining to the community what he has done to address the problems which have continued to exist in some areas. That is not a cause for complaint. Honourable members opposite want to pick the eyes out of issues, pick out individual circumstances and beat them into generalisations for their own political ends. They can engage in such games if they so choose. However, when it comes to the bottom line, residential and respite care are being provided and a comprehensive range of services is being developed for mentally disturbed people in our society. Considerable resources are being devoted to that, as we undertook to do. The job is not finished. There is more work to be done and the minister would be the first to admit that. For the opposition to say that we are doing nothing is a gross misleading of the community and that ought to be condemned for what it is.

I would like to turn to a couple of other matters. Nobody has mentioned that the letter which the member for MacDonnell waved around and carried on about happens to be a briefing note providing background information to the minister. It was not a request for a decision. The minister was asked to note some background information. It outlined 2 distinct problems: firstly, the serious concerns expressed by nursing staff at Tennant Creek Hospital about the treatment of emotionally-disturbed people and brain-damaged patients; and secondly, the matter of security, which did not refer specifically to emotionally-disturbed people. The example given related to an outpatient who turned up on New Year's Day in the middle of the night and tried to attack a nurse. Those are serious problems but let us put them in perspective. The memorandum explained to the minister what the department was doing to tighten security. It said:

Measures to be implemented to resolve this issue include: perspex to replace glass Casualty doors; video monitor and intercom system, so that the nursing staff can see who is at Casualty door; 1 extra nurse on night duty to ensure that there are 2 nurses when opening Casualty door; a paging system for Casualty so that security can be called immediately; police to be given a key to Medical Ward door so that there is no delay when arriving to help in a violent situation.

The memorandum asks the minister to note the action taken by the department to overcome the problems and concerns expressed by the nurses. Members opposite forgot to mention that in this debate. I wonder why.

Having attacked the minister for something that has occurred in the Tennant Creek Hospital, without talking about what the department has done to overcome the problem, members opposite say that it is all the fault of the minister, as if he sat down there and herded these people into the hospital so that they would cause problems to the nurses. They say that it is his personal problem because, under the Westminster system of government, ministers wear personal responsibility for the actions of their departments. If that is true, the corollary must surely apply: that, when the department does something really good, the minister should get the credit for it. The opposition cannot have one without the other.

Why should the minister not take credit for the achievements of the department? Members opposite and members of the public are only too ready to attack the minister personally when something goes wrong, even when it is something which he could not reasonably be expected to have much chance of knowing about. He is the one, however, who takes the blame in the minds of the public: Don Dale did this, or Don Dale did that, or Don Dale did not stop it happening. He did not happen to be at Kintore on the day when a particular event took place. When something really good happens in a location such as that, however, it is said to be totally improper for the minister to claim credit for it. What a nonsense, Mr Speaker! One would think that it is unusual for a government to take credit for the good things it does whereas, in fact, the minister would be negligent in his job if he did not continue to promote the good works of his department.

When I was a minister, I used to go to my departments all the time and say: 'I want to hear about all the you-beaut initiatives that you are taking, and I want to get them advertised. I want to tell the community what a great job you are doing'. Mr Speaker, I can tell you that the departments really appreciated it and their morale went up significantly when they were getting very good vibes from the community. Staff like to see good reports about the work that is going on within their departments. I covered quite a few departments in the period that I was in the ministry. I would do the same thing again in similar circumstances, as I hope every minister would do, just as every Labor minister in every Labor government in this country does.

I would like the member for MacDonnell or the Leader of the Opposition to walk up to Bob Hawke and say: 'You are unjustifiably spending taxpayers' money every time your picture appears with comment on something the government is doing'. I would like them to do that and to then issue a press release saying that they had done so. When they do that, they can come in here and criticise the Minister for Health and Community Services for doing what any responsible minister does. There is nothing wrong with it. Let us kill the nonsense that members opposite carry on about. They beat these things up to make some sort of a story. They know that they are talking nonsense. They see a chance to grab a headline by taking a cheap shot. Let us kill it now, because that is all it is: nothing more than a cheap shot that should go nowhere.

Mr Speaker, I commend the minister for his statement and for continuing to inform the community of what is going on in the Department of Health and Community Services. I look forward to further statements on the continuing development of mental health services in the Northern Territory, which I have no doubt will occur and which, as the minister has indicated in this statement, the government intends will occur.

Mr SETTER (Jingili): Mr Speaker, I was very disappointed today as I listened to members opposite speaking in this debate because, in my opinion,

the level of their contributions has sunk today to a new low. That is really saying something because quite often the content of their contributions to debate is down in the pits. Today, it was an absolute disgrace. I refer particularly to the member for Stuart, together with the member for MacDonnell and the member for Barkly, who always seems to tag along hanging onto the coat-tails of whatever argument the Labor opposition wishes to put forward ...

Mr Palmer: Coalition in opposition!

Mr SETTER: Exactly - coalition in opposition. And then, having had their say, those members leave the Chamber. That is the sort of courtesy that they are prepared to show this House and its members.

Mr Speaker, what concerned me more than anything else was the fact that, today, the names of patients were brought forward and publicly bandied about in this Assembly. Mental health is a difficult and sensitive enough issue as it is. One can appreciate that there are arguments back and forth but today members opposite have gone a step further by using the name of a particular patient in this Assembly. That person, who has a particular affliction, has the sympathy of all members. However, today we have heard almost a blow-by-blow description of what happened to the poor chap and the details of the crime that he committed. To mention his name and bandy it about so that doubtless the media will pick it up, is absolutely appalling.

I read the amendment moved by the member for MacDonnell. He wants to add to the motion: 'but this Assembly deplores fact that the Minister for Health and Community Services has failed to report fully in the statement on recent publicly-reported incidents involving violent assault against innocent patients and the actions that he and his department have taken to correct the dangerous and inhumane situations which pertained and may still pertain in some Territory hospitals'. Balderdash, Mr Speaker! That is absolute garbage. What we have heard today is a positive and constructive resume of what the Department of Health and Community Services has achieved over the last several years, and its intentions for the future. At page 5 of the statement, the honourable minister outlined the range of medical services that are available in the Territory. He told us about the Cowdy Ward, for acute admissions, the Psychiatric Rehabilitation Ward and the Forensic Ward. He went on to talk about the Tamarind Centre.

Mr Speaker, I am sure that you recall the old Darwin Hospital, which we inherited from the Commonwealth. I think it was in Ward 9, which was little better than a Sidney Williams hut with a high cyclone-mesh fence around it, that these patients were incarcerated. That was the sort of mental health facility we had in those days. I am sure we all agree that it was totally inadequate, but that was what we inherited. But what have we today? I have just nominated the wards we have now, Mr Speaker. They are there. You can go to the Royal Darwin Hospital and visit them. You can go to the Tamarind Centre and see the facilities that they have there, and they were all put in place by this government. For these people on the opposition benches to say that we have done nothing is an absolute nonsense.

Last year, I had the pleasure of opening the Tamarind Centre on behalf of the minister. It was with great pleasure that I did that, because I had not visited the Tamarind Centre since it had been upgraded. I met a number of the staff and discussed with them the services that are provided there, and I was extremely impressed. I do not think that there would be a more dedicated group of people in the Northern Territory Public Service than the staff of Tamarind House. I am quite sure, though, that many other people working in the Department of Health and Community Services are equally dedicated.

Of course, the area of mental health is a very sensitive and difficult one. It is not like most other areas of health, where a person who is ill or is injured, goes through a healing process and is rehabilitated in the community as a well person again. Mental health is far more complex and difficult. As with a person who is inflicted with malaria, the illness tends to manifest itself again and again. It is extremely difficult, and I assume that it is very frustrating for the staff who try to solve the very complex problems involved.

From my own personal experience, I know of a person who I believe was schizophrenic. He visited my office regularly. He would come to me with a great file of letters he had been writing to all sorts of people complaining about the standard of services that he had been provided with at the Royal Darwin Hospital and other places. The poor fellow had a complete fixation about this, and there was nothing that I could do to allay his fears. It was just a fact that he suffered from this disease, and it was a great shame. I did what I could to counsel him and to reassure him, but that is the nature of the disease. There are many other people who are similarly afflicted.

If one were to take notice of what the members of the opposition had to say today, one would assume that nothing was being done at all. Of course, that is totally incorrect and it is just another example of the misinformation, the lies, the inferences, the innuendo and the personal denigration that they continually bring forth in this House. It is an absolute nonsense.

Mr SPEAKER: Order! The honourable member should withdraw the reference to lies.

Mr SETTER: Mr Speaker, I withdraw any reference to the word 'lies'.

As I was saying, the services that are being provided in the Northern Territory have improved dramatically in the last several years, thanks to the actions of this government and its Department of Health and Community Services.

One matter has been overlooked in this debate. It was overlooked even by the member for Barkly, who should be very familiar with the great difficulties faced by the government and the Minister for Health and Community Services in efforts to implement additional programs. It is, of course, the matter of funding. From my colleagues, I hear that budget Cabinet meetings are fairly torrid affairs because each minister has to go in and really fight to achieve the level of funding that he wants for his department for the coming year. It is not easy. Sometimes a minister is successful and sometimes he is not. The reality is that, in order to improve the level of services that are available, the minister requires more funds. In order to obtain them, he has to stand in line with all the other ministers who are also trying to acquire funds. They all have very strong arguments, probably as strong as those of the Minister for Health and Community Services although, I hasten to add, perhaps not as sensitive or emotive as those relating to mental health services or health services in general. That issue has not been mentioned here today. It is a matter of what we can do within the limit of the available funds.

Mr Speaker, I say to you and to honourable members that I will not vote for the amendment to the motion. It is an absolute nonsense, a total furphy. I applaud the minister for bringing forward this statement and for the fact that, from time to time and on quite a regular basis, he brings statements before this House to inform honourable members and the public at large about

what is happening in his department. It is most important that we are informed about developments in these areas. Mr Speaker, I commend the statement.

Amendment negatived.

Mr DALE (Health and Community Services): Mr Speaker, unfortunately I will be brief in my reply on this motion because, quite frankly, members opposite have contributed little to the debate. Their comments are an indictment of them and have vindicated the opinions I have expressed publicly on many occasions.

It is unfortunate, although a fact of parliamentary procedure, that we cannot refer to members opposite or, for that matter, any member of this parliament as a liar. I do not intend to do that now. However, I want honourable members to note the facts which I am about to give. I hope that they will then make up their own minds about a typical performance by the member for Barkly, who made a pathetic attempt today to clean up what he had done outside the House. I refer to his press release of 6 February 1989, which stated: 'Mr Tuxworth said, "The Northern Territory is the only place in Australia that puts its psychiatric facilities in the general hospitals. It is time we learnt the lesson of the other states"'. I repeat his words: 'The Northern Territory is the only place in Australia that puts its psychiatric facilities in the general hospitals'.

Mr Speaker, I will quickly refer to a list - and it is not an exhaustive one - which contains information about hospitals with psychiatric facilities in or on their grounds in Australia. In Queensland: Prince Charles Hospital - 164 beds; Princess Alexandra - 80 beds; Townsville - 71 beds; Toowoomba - 25 beds; Southport - 25 beds; and Cairns - 29 beds. South Australia: Queen Elizabeth - 20 beds; Royal Adelaide - 24 beds; and Modbury - 20 beds. In Western Australia: Royal Perth - 40 beds and Repatriation General - 24 beds. In New South Wales: Bankstown - 40 beds; Central Coast - 18 beds; Coffs Harbour - 4 beds; Royal Prince Alfred - 30 beds; Newcastle - 22 beds; Royal North Shore - 19 beds; and Albury - 12 beds. In Victoria: the Austin Hospital - 12 beds; Geelong - 30 beds; and Mildura Base - 20 beds. In Tasmania, at the Launceston General - 18 beds, and in the ACT, Woden Valley - that wonderful hospital on which the Royal Darwin Hospital is modelled - has 26 psychiatric beds.

I ask people in the public arena and honourable members of this House, when they make an assessment of the ability of the member for Barkly to tell the truth or otherwise, to consider the statement he issued telling the people of the Territory that this is the only place in Australia that puts its psychiatric facilities in its general hospitals. That statement is completely contrary to the truth. To illustrate his desperation to build a case to deceive people not only in this House but elsewhere, he read out a document today which barely relates to the subject of this statement, which is the Territory's facilities for the mentally-ill. The letter that he quoted was from the Anyinginyi Congress Aboriginal Corporation and it is interesting to note whom copies were sent to. It shows up this radical, right-wing member of the so-called National Party. Copies were sent to Dr Neal Blewett, Mr Neil Bell and Mr Warren Snowdon; they are his bedfellows.

This document was faxed from the member for Barkly's office at 2131 hours yesterday. That indicates that he saw the copy of the statement that I tabled in the Assembly yesterday. He would have grabbed hold of it and thought, 'Whoops, I don't have too much ammunition here'. Then he would have decided

to grab anything he could that would seem to have a little substance when presented in his usual manner and would confuse the issue and deceive the public. He probably decided to toss in a couple of throwaway lines such as, 'Isn't it horrible when they send off a fellow who is still under drugs and he is bashed up in the Alice Springs Hospital', and to talk about how we 'strap down patients'. Emotive issues of that kind are always included in the repertoire of the member for Barkly.

There is another point I would clarify in connection with that particular issue. He talks about people receiving respite care in Tennant Creek and names them. I do not intend to do so. One can only assume that he is associating those patients with mental illness, and I do not know that that is the case. He talks about the cost of staying in the Tennant Creek Hospital being \$285 per day. I will give him a shock. If he were to take the time out to familiarise himself with what it would cost to spend 1 day in the facility that he is asking us to build to slot all of these people into, he would be amazed that it is something approaching twice that figure. There would be no financial gain to the people of the Northern Territory.

Mr Speaker, it is my job to tell this Assembly and the people of the Northern Territory what we are doing, in this case in the delivery of psychiatric services to the people of the Northern Territory. I do not believe that throwing confusion into the debate by presenting a letter that talks about the mentally-ill, the intellectually-disabled and people with brain damage has anything to do with the facts at all.

Another thing that the member for Barkly did, which he does constantly publicly, was to talk about people who are in Ward 5 at the hospital for psychiatric care. He switched quickly to talking about people who are incarcerated in Ward 9 and then sought to amalgamate all of those people into a single group, which he talks about to the media. That is totally misleading. It is simply an exercise in deceiving the public. The fact is that we have been constantly addressing all of the issues touched on by the member for Barkly, and I am referring to the mentally-ill, the intellectually-disabled and the people with brain damage. When he spoke about the patients who were the subjects of complaints by a magistrate in Alice Springs some 2 years ago, he did not even mention the guardianship legislation enacted by this Assembly. Mr Speaker, have you heard the magistrate complaining about those people recently? No, you have not, because we have done something about the problem, although that is another issue which has nothing to do with the subject of today's debate.

If honourable members made any criticism of substance, it was that they could not see that I was doing something about the provision of what they perceive - and they do not do a very good job of describing it - to be an appropriate facility for the people we are talking about. At page 20 of the statement, I said: 'With an expected strong growth in population over the next 10 years, the total requirement for beds for the mentally-ill, both acute and long-term, will be approximately 90 for the Territory'. Mr Speaker, in my statement, I went on to explain what we will be doing to provide for that: extensions to the Psychiatric Rehabilitation Ward, extensions to the Forensic Ward and the establishment of a 10-bed unit for adult, brain-damaged people.

I believe that this Northern Territory CLP government has fulfilled its obligation to date, and I stress 'to date' because it is an ongoing obligation. I am pleased to say that it has fulfilled its obligation to date. I trust that the people of the Northern Territory are listening to me and not to the 1-line grabs that several of the people opposite have been making while

this debate has been under way. They have been whizzing in and out doing their little 1-liners on the TV.

Mr Speaker, we are doing what is best for the people in this area. I believe that our programs are sound and that the objectives we are pursuing are sound. We will continue to pursue them. People in the Northern Territory, who require treatment provided within the scope of the mental health services, and their families, should rest easy that that treatment is second to none in Australia. They should have confidence in yet another aspect of our administration of the Northern Territory.

Motion agreed to.

STATEMENT
Port of Darwin

Mr FINCH (Transport and Works): Mr Speaker, it is my intention today to present a statement to the House on the Port of Darwin. Much has been said in recent years about the need to upgrade a wide range of Territory transport infrastructure. We know of the desperate need for the earliest possible start to the upgrading of our 2 key airports, Darwin and Alice Springs, and of the economic boost to the Territory that will flow from these critical developments.

We know too that the Territory needs more all-weather roads but, because of the limitations on federal funding and the fact that the financial outlay required for such work is prohibitive, only those roads deemed to be of economic significance or with a high safety priority can be attended to at present. We know also that a railway line from Darwin to Alice Springs would revolutionise the face of transport in the Territory but that there are still a number of hurdles to be crossed before Darwin again echoes to the shriek of the locomotive whistle.

There is, however, one key area of transport which has received only scant attention in recent times. This sometimes overlooked arm of Territory transport is the Port of Darwin and our shipping services. While the impact on the Territory economy of redeveloped airports, improved roads and the north-south railway has been spoken of in detail, the significance of the port to the Territory is little understood. The Territory's geographic position in relation to South-east Asia has long been recognised as potentially one of our most valuable assets. When you consider the Port of Darwin's proximity to South-east Asia, it is glaringly obvious that it should be Australia's front door for maritime trade with the region.

Darwin is about 5 days' steaming time from Singapore and about 4 days from Tanjung Priok, the port for the Indonesian capital of Jakarta. It takes an additional 6 to 7 days for ships from either Singapore or Tanjung Priok to reach Sydney or Melbourne. Cargo discharged at the Port of Darwin and then trucked south by road or road/rail reaches either Sydney or Melbourne within 3 days. This, coupled with the often staggering delays affecting the clearance of cargo in major Australian ports, gives Darwin a decided time advantage over southern ports. In major southern ports, it is not too uncommon for backlogs of cargo to be delayed in container yards or sheds for weeks before being cleared, whereas in Darwin cargo can be cleared within a day.

The Territory itself has neither the population base nor the industrial or commercial base to generate high volumes of shipping services through the

port. It is only through the high levels of cargo generated by a large number of shipping movements that a port can achieve its ultimate performance and efficiency. Without these high levels of shipping and freight, port and stevedoring charges remain relatively high and, consequently, unattractive to potential port users. Herein lies the dilemma associated with attempts to promote the Port of Darwin amongst overseas and Australian shipping lines. As appealing as our geographic location is, it is simply not enough in itself to attract sufficiently high levels of shipping.

The \$35m upgrade of port facilities which has taken place since self-government has ensured the quality of infrastructure to make Darwin a technically efficient port. But this is just the start. Having the necessary infrastructure is one thing; operating it efficiently and effectively is another. There is still a great deal of hard work to be done on selling the Port of Darwin to shipping interests and their customers. Undoubtedly, one of the strongest selling points for the port will be the eventual construction of an Alice Springs to Darwin railway line but much can be done at various levels on our waterfront itself which will provide important building blocks in making Darwin Australia's front door for maritime trade with South-east Asia. I am happy to say that there have been marked improvements in efficiency, manning levels, work practices and port and stevedoring charges in recent years. These improvements bear testimony to the efforts of groups, individuals and firms involved in the port at all levels.

Bulk cargo handling efficiency is an area which has seen dramatic improvements in the past 3 years. For example, the discharge of sulphur, which had taken up to 12 days previously, is now completed in 6. The clinker vessel, *Shinwa Mar* which, in June 1985, took 12 days to discharge, was discharged in 9 days in November 1988. Overall, the discharge rate for bulk clinker has improved by some 33% during the past year. Lead concentrate, which was loaded at an average of 112 t per hour in November 1986, was being unloaded at 209 t per hour, or nearly twice the rate, in the same period last year. The handling times for containers and break-bulk cargo have also improved in line with this general upturn. The off-loading of a 120-box container vessel can now be completed at an average of 21 boxes per hour, which is amongst the best rates in Australia. Pallets of frozen meat, which were being loaded at 22 t per hour in September and November 1986, were being loaded at the rate of 29 t per hour last year.

There are a number of reasons for the improvements in handling times. One of the most notable is, of course, that 2 additional stevedoring firms began work in the port last year, following a long period during which there had only been 1 firm. In short, for the first time in many years, port users were provided with competitive prices for all stevedoring. However, I believe that these improved handling times go much deeper than just a new spirit of commercial competition on the waterfront. They say a great deal about the attitude of the people at the workface.

Traditionally, waterside workers have been characterised as idle types, working to the book and only too willing to bung on a strike. The current approach of Darwin's waterside workers certainly does not fit this stereotype. In fact, I am pleased to say that the refreshingly constructive and professional attitude of Darwin's waterside workers is now used as a positive selling point for the Port of Darwin.

Since self-government, there has been a steady decrease in the number of man-hours lost by operational employees of stevedoring companies in the Port of Darwin due to industrial action. The monthly average over the last 3 years

of 0.1 man-hours lost for operational employees is the equal lowest average in Australia, along with that of Tasmania. This compares with a monthly average of 4.9 man-hours lost in New South Wales and 3.1 man-hours per month in Victoria. I think all members would have to agree that this indicates that there is a different attitude amongst the workers on the Darwin waterfront. This attitude is nowhere better evidenced than by the fact that Federated Stevedores, one of the 2 new stevedoring firms now operating in the port, is 50%-owned by the Waterside Workers Federation. The presence of Federated Stevedores and the other recent stevedoring addition to the port, Conaust, has provided genuine competition to TSS, which has shown through its record that it has a long-term commitment to Darwin. It is the first time in 9 years that there has been stevedoring competition on the waterfront. Apart from the improved throughput, prices quoted to port users by the stevedoring companies are now decidedly lower per tonne or per unit. Naturally, this renewed spirit of competition and the results in performance and cost benefits provide added incentives to potential port users.

I believe another major contributing factor for the marked improvements on the Darwin waterfront in recent years has been the Darwin Port Efficiency Task Force. The task force is made up of all port users. This provides an opportunity for the likes of waterside workers, shipping companies and the users of stevedoring firms to meet regularly and discuss any difficulties which they might have. This unique forum has proved beneficial not only as far as better relations between port users are concerned but through improving overall port efficiency because it allows users the opportunity to address positively problems which impact on a range of areas within the port. This week, the task force celebrated 4 successful years of operation. In fact, so successful is the Port Efficiency Task Force concept that the interstate commission looking into a national waterfront strategy has examined it, possibly with a view to recommending its adoption on an Australia-wide basis.

While attitudes and competition remain important, there are many more components involved in the make-up of the port and stevedoring charges. When it comes to attracting shippers, nothing has a more positive impact than the prospect of low port and stevedoring charges. To put it simply, port and stevedoring charges can make or break a port. Sadly, like most smaller ports, Darwin has traditionally suffered from high port and stevedoring charges, due mainly to under-utilisation of port facilities and our labour force.

Unfortunately, in these days of specialisation, it is essential that, regardless of size, a port has 1 of everything. One simply cannot buy a quarter of a crane. It is necessary to outlay big money to buy the specialised equipment necessary to handle the range of modern shipping at an acceptable speed. This means that the infrastructure in smaller ports often remains substantially under-utilised. Ships are high-cost carriers which do not make money by spending excessive time in port. Additionally, our costs are affected by Darwin's 8 m tidal range and our Cyclone Code, both of which make infrastructural development costs higher than elsewhere in Australia.

As I have mentioned, port efficiencies depend largely on the movement of high tonnages of cargo across the wharf. For Darwin to achieve such economies of scale, we have to reduce the cost of all components of overall port and stevedoring charges. More competitive stevedoring rates and improved efficiencies and discharge times are 2 steps in the right direction. One of the significant elements contributing to high port charges has been the cost factor known as the idle-time levy. Since permanency was introduced to the waterfront in the early 1970s, wharfies have been employed on the same basis as the rest of the work force, rather than on casual rates as was previously

the case. Naturally, shippers pay only for the hours they use waterside labour. However, the employer still faces the bill for the full week's wages. The difference between the time worked and the remainder of the week is calculated on a nationally-agreed idle-time levy system, and this is incorporated in the charge-out rate. Reducing the idle-time component of the port levy is a sure-fire way of helping to bring down port and stevedoring charges, and I am pleased to say that some significant progress has been made towards improving idle-time costs. In the 12 months from March 1987 to March 1988, the idle-time levy in the Port of Darwin was reduced from \$38 per hour to \$25 per hour. This was achieved largely as a result of the Port Authority and waterside workers coming to an agreement on voluntary redundancies at the port.

Moves are being made, in conjunction with the powerful interstate commission investigating a national waterfront strategy, which could see some innovative advances in the near future in the area of work practices and industrial arrangements. In simple terms, we are looking at the possible benefits to all parties of a single, flexible and multi-skilled work pool covered by 1 award. In the meantime, however, it is pleasing that the number of cargo vessels visiting the Port of Darwin has been increasing slowly but steadily over the past few years. Mr Speaker, I will briefly outline the current position.

We are receiving regular monthly calls from vessels of a multinational consortium which provide the Territory with access from Japan, Korea, Taiwan and Hong Kong. Cool Carriers is using Darwin for meat exports to North America following a 9-year closure of maritime access to this market, and is undercutting the cost of the traditional conference lines which ship meat from southern ports. Cool Carriers is also investigating the possibility of exporting prawns. Bank/Columbus Lines has increased its level of calls on its around-the-world service. 'Kapitan Grishin', the first Perkins Shipping vessel to use the main wharves, did so in November to the satisfaction of all. A very quick turnaround was achieved. Perkins Shipping's new vessel, 'Markam Bay', made its maiden voyage to Darwin last month and has now commenced its regular service to Singapore and South-east Asia.

It is also encouraging to report that another Territory company, SEA Carriers, which is managed by Captain Ian Broad of North Australian Marine Services, made its first call to Darwin in the Arktis Trader on 6 February. Captain Broad was impressed by the quick turnaround time and by the performance of the Darwin wharfies as well as the Port Authority's container crane, which is in place as a result of the government's \$35m upgrade. The vessel arrived at the start of the morning shift and was gone by midday. The aim - and mostly it is achieved - is to turn non-bulk vessels around within a shift or on the same day. Quick turnaround is the name of the game in shipping. SEA Carriers plans to establish a regular service between Darwin and South-east Asia, which is obviously one of the types of service that the Port Authority is trying to attract to Darwin.

While there has been a slow increase in the number of cargo vessels calling at Darwin over the years, there has also been an improvement in the number of cruise ships calling at the port. A total of 9 cruise ships have scheduled calls at Darwin this year.

In 1986, the Port Authority built and commenced operating a facility custom-built for Darwin's fishing industry, and that was the fishing harbour mooring basin. The performance of the basin has exceeded all expectations. The basin, which has a total of 89 berths, was fully booked out for the

mid-season closure of last year between 22 June and 30 July. Currently, the basin has 85 bookings, of which 79 are annual bookings. It has proved a boon to fishing vessels, charter and pleasure craft, as well as the marine service and supply industries and the government is currently addressing future developments in this area.

Improved efficiencies are occurring in a range of areas required to steadily increase the number of vessels using the port. We have an aggressive marketing campaign in place which is promoting the port in Australia and overseas, particularly in South-east Asia. As with everything in the shipping business, it takes time before major changes become evident, but the signs at the Port of Darwin are all pointing in the right direction and, with the current healthy attitude and commitment of all parties involved on the waterfront, I am confident that things will continue to improve.

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

Mr EDE (Stuart): Mr Deputy Speaker, I was quite pleased to hear a positive statement by the minister that things are looking up for the Port of Darwin and that there appears to be steady growth as the message about the wharf's higher efficiency and lower costs becomes known. The unions are to be congratulated on their approach to the port and I am glad to see a conservative minister taking note of the praiseworthy achievements of unions. Now that the weight of the Fraser boot has been removed from their necks, unions have shown the role that they can play as partners in growth. It has been demonstrated both here and overseas that, where management and workers work as partners rather than as protagonists, growth will occur. That has been demonstrated by the unions in the Port of Darwin and by wharfies everywhere.

This is an industry which has lost a high percentage of jobs as a result of technological change over the last 20 years. The unions have shown great strength in protecting the conditions of their members but, at the same time, have had the foresight to adjust to change. Their most recent step in moving into the dual role of employer and employee through their stevedoring company is a further example of the enlightened approach that the Waterside Workers Federation has taken. Obviously, the introduction of competition has been effective not only in stabilising but in actually reducing costs. That is the major condition required for the success of the Port of Darwin.

I do not want to become involved in criticism of the statement, but I would like to point out a couple of things that might have added a little more meat to it. I refer to a strategy for the future, if you like, and the provision of more information as to where we are now and where we need to go. Obviously, to achieve dramatic growth we need the railway line. To be able to assess whether what we have will provide a link between south-eastern Australia and South-east Asia, there are a couple of points that we must examine. We need to examine the nature of cargo from places such as Singapore, Malaysia and Indonesia into those south-eastern ports. As members would know ...

Mr Finch interjecting.

Mr EDE: Mr Speaker, perhaps the minister knows the answers to these questions. All I am saying is that I would have liked to have had more information in the statement.

I will use 2 extreme examples: the movement of bulk tonnages by one method and spare parts by another. A few extra days in the movement of bulk tonnages to their point of destination really does not add a great deal to the end cost of the product. However, an extra couple of days in transit time for spare parts can be incredibly expensive. A weight-speed ratio can be calculated that is reasonably consistent across a wide range of products. A product with low weight and high cost generally needs to be moved quickly and is transported by air. At the other extreme, bulk items that are moved by sea transport are generally very high in weight and low in price per unit. Items in between those extremes will be transported by road/rail. Some would argue that Bond airships should be used.

The point that I am making is that it is not sufficient for us simply to say that 3 days will be saved by routing the cargo through Darwin. We need to examine the types of cargo that are being transported so that we can determine which areas may find it economically attractive to use the Port of Darwin as a link to markets. Perhaps, at a later date, the minister will tell us the volume involved in that, what proportion of that volume we could expect to achieve and what proportion we would have to attract to achieve our break-even point on the wharf.

Many of the recent improvements appear to be the result of efforts of the federal government through the interstate commission and the workers and unions at the port. I am prepared to accept the minister's assurances that the Port Authority has been very active. However, I would like to have seen more information on where we are going in the future.

In respect of the Frances Bay mooring basin, I made this point when we first talked about it. We need to be provided with figures in relation to such aspects as the rate of occupancy of berths and break-even rates, so that we can evaluate the trends over time. These are the indicators which I would like to see in ministerial statements so that, as a parliament, we would be better able to judge the performance of ministers and assess how things were actually going rather than listening to large amounts of rhetoric. It is quite easy to say that the basin is full now or almost full. Obviously, there are some times in the year when it is almost empty because people are working at sea.

Mr Coulter: It is 110% booked.

Mr EDE: Mr Speaker, as I was going to say, if it were full all the time, that would be rather worrying because it would indicate that people were not going out to sea and consequently not earning a quid. If people are paying while they are away, and the level of bookings is 110% throughout the season, it will be interesting to see how that relates to the overall financial situation. It is possible that only on-site costs are covered and that the project relies on off-site flow-ons. That information has never been provided to the parliament and it is the sort of information which I hope the minister will provide, either in his reply or at some time in the near future, given the positive nature of his statement.

In conclusion, Mr Deputy Speaker, I commend the statement, particularly the minister's remarks concerning my friends in the Waterside Workers Federation.

Mr FIRMIN (Ludmilla): Mr Speaker, I rise to support the minister's statement on the Port of Darwin.

The turnaround in the performance of the port during the last few years, particularly the last 2-year period, has been quite amazing. Quite rightly, the minister credits this to changes in attitude on the part of the unions and the stevedoring companies, which have undoubtedly played a major role, together with the work of the Darwin Port Authority itself. I would like to point out also that management attitudes flow down from the top level. I believe that the minister himself has displayed considerable sensitivity to the needs of the port and his refreshing and practical approach is bringing results.

In 1988, I had an opportunity to visit the port of Felixstowe in East Anglia, which is the fastest growing container port in the world. I asked its directors and administrators what was the key to their success. Their response was that they set goals in consultation with management, unions, workers, shippers and forwarders, and then involved everyone in marketing these goals. Whilst the primary goal of any port is profitability, in the very early years following capital restructuring and infrastructure, there is a secondary goal which is very important, the goal of continued expansion. That becomes a goal as a matter of necessity because, without a larger throughput, the amortisation of the capital items and the cost of loan servicing per tonne through the port is too high a recovery item for the port to compete in the marketplace. In the formative stage, and that is the stage the Port of Darwin is now in, the main goal should be the expansion of cargo throughput - in other words, visitations.

In the past, the Port of Darwin has had a very poor track record with international shipping and shippers which, unfortunately, has left its legacy. People are not yet fully aware that the situation has changed and, although some positive developments have occurred in relation to international shipping activity, I do not believe that we have yet convinced a majority of shippers that the situation has changed. Although this example comes from outside the South-east Asian region, which is our usual sphere of operations, my brother-in-law works for the ACL group in the United Kingdom, one of the world's largest container shipping companies, which has branch operations throughout Europe and most of the world. When I speak to him in an effort to promote the shipping of cargoes into this area, I run into the problem of attitudes in his company which relate to experiences with the operations of the Port of Darwin many years ago. Obviously, such attitudes must be changed, and it is heartening that today the minister is not only reflecting that view but providing tangible evidence to back it up.

I note the minister's comments on marketing. I know that we are marketing aggressively in the South-east Asian region and I understand the marketing concept which the minister is using, but I would like to go a little further. I suggest to him that, in order to involve international shippers more fully and make them more aware of the dramatic turnaround at our port, we should be pushing very hard to emphasise the points made in today's statement. Those points relate particularly to changes in our port infrastructure, competitiveness between stevedoring companies, improved turnaround rates, the land-bridge concept, delays in southern ports, our proximity to the South-east Asian region, and the potential to reduce transportation times by eliminating the need to travel by sea around the coast in order to reach southern markets.

I believe that we should adopt the marketing strategy used by the management at Felixstowe. It should be promoted, not just by the Darwin Port Authority management, but by all the parties with a stake in the future of the port, thus providing a united front. This may sound like a radical idea to some honourable members, even some on this side of the House, but I believe

that we cannot develop an effective marketing strategy through the efforts of management alone. That will not convince everybody in the overseas shipping industry that we have entered a new period of conciliation with the unions and have support from all the groups involved in our port operations. If the port is to continue to go ahead, I believe all parties must have this joint marketing approach high on their agenda.

There is a double benefit in this type of marketing approach overseas. All parties - the unions, the stevedoring companies and representatives of the port management - have the opportunity to visit successful ports such as Singapore, Amsterdam, Rotterdam and Southampton, and to develop an understanding of their operations and strategies for pursuing the goal of profitability. The Felixstowe experience has been that the interchange of ideas on such visits is extremely beneficial and its administrators told me that it was probably the most important single factor in the expansion of their port. That is the double benefit of involving all parties in a marketing strategy.

I have spoken about Felixstowe on previous occasions but it is worth remembering that its port has been operating for some 30 years only and that, within its first 20 years, it was transformed from a totally insignificant piece of wasteland into the largest operating port in the United Kingdom. In terms of containerised cargo, it became the third-largest port in the world. During the following 10-year period, with the assistance of the unions and their stevedoring operations, the operation became even more efficient and profitable. In terms of tonnage handled, it continued to be the first port in England, rose to No 3 in the world and, I understand, is rapidly heading towards the position of No 1.

Mr Speaker, with those few words, I commend the minister's statement.

Mr HATTON (Nightcliff): Mr Speaker, I rise to support the minister's statement. This is an extremely pleasant task because this statement about the Port of Darwin is so dramatically different from previous statements on the same subject. I would like to quote from an article from The Australian dated 14 February. I will quote sections of the article because I think it is worth while. I will read it as it is and explain the context later because, if one listens to it, it sounds like Darwin circa 1970s and early 1980s: 'Employers claim the Waterside Workers Federation is restricting labour freedom through outdated roster arrangements, but the union blames the bosses for the recruitment freeze ...'. And then it continues.

In the days of the permanency fights of the late 1960s and early 1970s, we heard so often about the horrific circumstances at the Port of Darwin. The member for Ludmilla has referred to the legacy that the Port of Darwin has inherited as a consequence of the events that occurred between 1969 and 1972 and the shocking circumstances shippers had to go through during that battle for permanency in the Port of Darwin. Without doubt, it has restricted and reduced the flow through the Port of Darwin dramatically. In his statement, the minister outlined substantial changes that have occurred in recent times.

The other reason I am very pleased to stand and support this statement is that I would like to think that I played some small part in the embryonic work that led to some of these changes which took place as a consequence of some of the initiatives that I instituted when I was Minister for Ports and Fisheries in 1985-86. In particular, there was the formation of the Port Efficiency Task Force and the bringing together of a number of key players in the port to sit down and start talking rationally about ways of improving the performance

of the port on a step-by-step basis rather than through the emotive haranguing which seemed to form the history of all discussion associated with ports. At that time, for the first time, I decided to get the organisations, the employer groups representing the port users, the Darwin Port Authority, the Waterside Workers Federation, the various other unions involved in the port and the stevedores all into the same room at the same time to talk about the same problems. In that situation, it was very hard for people to blame the other guys for what happened. They were all there face-to-face, and one man could not tell tales on another person except to his face. That forced them actually to address issues.

I think the second significant factor that started the process was what that group decided to do. It decided to pick up and carry out a ship-by-ship review of performance. In the course of a detailed analysis of how performance went on unloading or loading of a particular vessel, a number of anomalies came out and it became very clear what should have been obvious to everybody from day 1: nobody was a cleanskin in the Port of Darwin. There were administrative problems in the Darwin Port Authority. There were work practices in the Waterside Workers Federation. There were inefficiencies in the stevedoring and there were problems with the consignees. However, step-by-step, those obstructions have been worked through and today we can see some dramatic improvements in results and the increasingly competitive position that the Port of Darwin has been placed in.

As the member for Ludmilla said, that demonstrates the lessons that were learnt at Felixstowe. Because they all have a common objective, which is to have a secure, growing and efficient port, when all the participants work together to solve problems, rather than working through a process of mutual acrimony, solutions can be found and improvements can be made. This statement affirms the great value of that process.

I would like to pay tribute to the port unions here for the part they have played in the process. However, I must say that, particularly in the early days, the federal union officials from the Waterside Workers Federation, some of the federal union officials in the Miscellaneous Workers Union, the Seamen's Union and the Merchant Service Guild representing the shipping unions, all contributed to and I believe will continue to contribute towards the objectives the minister has outlined today: to improve the port and improve the performance of the port.

The member for Stuart has asked for a considerable amount of information about the Frances Bay mooring basin. When, as Minister for Ports and Fisheries, I announced that that facility would be built, it was stated that the intention was that the facility would recover only the operating costs. It was never the intention to recover the full cost of that facility. That is a standard practice in fishing-related port facilities throughout the world. It was a vehicle to provide incentive for the fishing industry companies to relocate their bases to Darwin so that we could benefit from the multiplier effects which would apply in the vessel repair industry, the ships' provedore industry and to the many small businesses in the Winnellie and Berrimah areas which could provide direct services in painting, sandblasting, repair of diesel engines and a multitude of other tasks related to vessel refitting which would put some work and some money into locally-based business. If the government commits itself to putting the capital facility in place to achieve that objective, that is worth while.

That was an openly-stated, up-front objective. The minister does not need to justify the fact that the government is not getting a full return on the

capital investment, because that was never the intention. With those sorts of occupancy levels, I have no doubt that the facility is more than meeting its operating costs and is successfully achieving the objective of attracting the fishing industry to Darwin. From that position, I hope that we can look forward to further developments in fishing-related port infrastructure and, with that, the potential to capture the landed fish product and to develop off the back of that the processing operations that will give us the genuine multiplier effects of industry creation that can flow from a fishing industry. Many reports have been put to this Assembly to that effect.

I remind honourable members that, throughout the world, the fishing industry has the highest job multiplier effect of almost any industry that can be named. It is recognised worldwide that, for every job at sea catching fish in a fully-developed industry, there are 9 jobs on shore. Those onshore jobs will be captured if the necessary shore-based infrastructure to support the industry is in place and if encouragement is provided for fishermen to go and catch the product and bring it into shore at the least cost. That should be the objective. I refer honourable members to the Norgaard Report which was tabled in this House and which outlined that strategy for development, a strategy which has been proven worldwide.

The honourable minister raised the issue of attracting cargo into the Port of Darwin. It is a fact that the bane of the life of the Port of Darwin has been the inconsistency of throughput of cargo, both in and out. Far too few people who comment gratuitously on the performance of the port recognise that fact. If it is necessary to have 50 or 60 people available to be able to handle 2 vessels when they are in port, if that is the minimum needed to handle a couple of vessels on a 3-shift basis to get the ships turned around, those people cannot be expected to sit around and twiddle their thumbs, unpaid, when no vessels are in port. If we want them to be available, we have to recognise that the days of the old bullrings of Sydney are gone. The days when wharfies stood around in a circle for the boss to pick out those who had a job for the day and would get paid, finished in the 1960s. Everyone recognises now that we need to increase the volume and regularity of traffic through the port. That will remove the idle-time payment the minister spoke about and, in doing so, will further increase the competitiveness of the Port of Darwin and, incidentally, will provide a number of other jobs away from the port, even in the transport and storage industries.

The opportunities exist and they involve more than just the odd few days. The member for Stuart said that it is all very well to have the idea of saving 2 or 3 days in transport time between here and Sydney, Melbourne or Adelaide, but that we really need to go away and have a look at cargoes. Quite obviously, if we are to address the matter of marketing Darwin as an entrepot port transporting goods to and from South-east Asia, we will have to identify the goods and the opportunities and market the port to the suppliers and to the recipients of those goods. We need to work with the freight forwarders who have integrated systems and encourage them to relocate themselves through the Port of Darwin. I know that considerable work has been done on that over a number of years. More importantly, I am well aware that, in consultation with other ministers, the minister responsible for the port, the Minister for Transport and Works, has done a considerable amount of work to identify freight opportunities and to achieve that objective.

I am well aware of the great difficulties involved in attracting shipping services to the Port of Darwin having myself done some of the early work in 1985 and 1986, traipsing around and knocking on the doors of shipping companies in London, Copenhagen and Singapore and listening to the sort of

stories the member for Ludmilla described. Because of the ongoing work being done by the Minister for Transport and Works and by the staff of the Darwin Port Authority, the message is finally getting through. It has been an ongoing marketing program to sell the good-news story of the Port of Darwin and it has been very pleasing to see the growth in the numbers of ships which are returning to Darwin or coming here for the first time. This success will spread, just as the failures in the 1960s and 1970s spread, and opportunities will grow from that.

The article in The Australian which I referred to earlier contained an interesting story, which deserves to be put on record in this context. I quote:

The Australian traced the route of 1 British-registered container ship, due to offload in Sydney from February 3, which was delayed at Port Botany for 6 days at a loss of \$130 000 on ship operating costs. The 15 000 t container vessel, Arafura, was due to leave Sydney on February 5 and visit Port Melbourne and Port Adelaide before docking in Brisbane on February 16. As a result of the Port Botany delay, the Arafura left Sydney with a full hold on February 7 and went directly to Adelaide to offload its cargo, which was then transported by rail back to Sydney. The cargo is still en route to New South Wales and is not expected to arrive until at least Friday, 2½ weeks overdue.

The \$250 000 rail freight charge will be paid by the ship's management, Australian North Bound Shipping Conference, a group of shipping lines that controls vessels on Middle East, South-east Asian, European and Japanese trade routes. The Arafura was due in Melbourne this morning but could face further delays when it eventually arrives in Brisbane on February 19.

'Last week, we had 4 ships from each of our trade routes diverted around Australian ports', said the manager of Ascon, Mr Lew Russell.

That story refers only to delays faced by ships. Having moved cargo onshore, however, it is recognised that it can take anything up to 6 or 8 weeks to move it out of a congested port like Sydney or Melbourne and onto a truck. Such delays involve heavy costs for people who have to pay for the goods from the moment they are loaded at the point of export. Interest rates of 18% to 20% make a big difference in the costs of having those goods delivered into their stores. Such factors as the degree of congestion in the port and the ability of our port to turn vessels around and get cargo through the port and onto land transport, can make a difference of weeks. Those weeks have a big impact on the consignee in dollar terms. The freight forwarder who uses an efficient port facility will gain a competitive advantage in marketing his service to people who want goods delivered into their stores from overseas.

I may be wrong about this but I understand that in the order of 80% of Australia's imports come from our north. That is a significant volume with great potential for the Port of Darwin. Even a minute percentage of that would turn the Port of Darwin around dramatically. There is no doubt that a railway line would create efficiencies in the form of a mass transit service across land, thereby dramatically expanding the volume of goods shipped through the port. There is no doubt about that. It may well be that, in a perverse way, increasing activity at the port may provide the justification for the railway as well as providing additional trading opportunities for

people in business and generating more jobs through increased transit and storage services.

Mr Speaker, it is pleasing to see a positive story coming out of the Port of Darwin, although it is not before time. People have been working very hard for some time to improve the situation there. Let us hope that, from now on, we do not hear any more unnecessary and emotive nonsense which will serve only to undermine the very effective work continuing in the minister's office, the Port Authority and among all the participants - the unions, employers, staff and consignees - to achieve a common objective.

Mr SETTER (Jingili): Mr Speaker, I was very pleased to hear the minister's statement about improvements in the efficiency of the Port of Darwin and a resultant lowering of costs. As the minister rightly pointed out, this has been achieved through the very good work of the Port of Darwin Efficiency Task Force which was established a year or so ago. That, coupled with the establishment of an additional 2 stevedoring companies, has led to a considerable improvement in efficiency.

I can recall that, when I came to Darwin, the port had a terrible reputation. It is only in the last year or 2 that things have improved and now it looks as though we have finally turned the corner. In order to show how far back the port's bad reputation goes, let me quote from a book entitled 'The Shadow's Edge' by Dr Alan Powell of the Northern Territory University. I will quote from page 51, where Dr Powell is himself quoting a military reviewer:

One cannot describe Darwin as anything but a boil on the Australian defence system, a boil which grew festered and irritated until it finally burst with the air-raids of 19 February 1942 and got rid of much of the badness which had been a source of annoyance to those officers of all services who had participated in the endeavour to build the port into an efficient link in our chain of defences.

That was the situation back in 1942, and it has been most pleasing to hear in the minister's statement today that efficiencies have improved quite dramatically in recent times.

Mr Speaker, this government's policy has been to develop the Port of Darwin as the main port of entry into Australia for trade with Asia and South-east Asia. I think we have to be realistic about this. It is all very well to be parochial and talk about how proud we are to be Territorians and how we want to develop our business and our export and income trade with South-east Asia. However, the reality is that business in the Northern Territory - and I mean it no disrespect whatsoever - is quite small in that scenario. South-east Asia is full of huge enterprises and the amount of business we can do in terms of exporting locally-manufactured produce or importing goods for local consumption is very small indeed, relatively speaking.

However, when we start to talk about using Darwin as the northern entry point for a land bridge to the south, hopefully in the form of a railway, we are looking at big business in terms of both exports and imports. There is an enormous amount of trade between Asia and Australia. At present, most goods are carried by sea from Asia all the way down our coasts to the southern ports of Sydney, Melbourne, Adelaide, Brisbane and Perth. As the member for Nightcliff pointed out, there can be delays of many weeks as cargoes are unloaded, moved across the wharf, and left on the hard stand in containers

before passing through customs and quarantine and eventually reaching the warehouses of the importers. That is in addition to the time already spent in travelling all the way down the east or west coast from Singapore or Hong Kong. That time would be reduced considerably if the goods were off-loaded in Darwin. We could have the product across our wharf within a day or so and use the railway or road transporters, who offer very reasonable rates for backloading, to have the product in warehouses in southern capital cities within an additional 4 or 5 days, a considerable saving in time.

Whilst one must admit that our freight rates are fairly uncompetitive, our competitiveness comes from the savings in time which we can offer. That is attractive to importers, many of whom pay for their product at the port of exit and have their money tied up until it reaches their warehouses. If shipping goods through the Port of Darwin can cut 4 or 5 weeks off the time between their leaving the exit port and reaching the warehouse, it is a very attractive proposition, given that importers are often paying overdraft rates of between 18% and 22%. When a cargo worth hundreds of thousands of dollars is involved, those rates amount to an enormous amount of money.

We need to produce a cost-benefit analysis of this whole scenario and the various equations so that we can explain the benefits to importers and exporters in dollars and cents. We will not sell the Port of Darwin by saying that it is geographically close and that we can offer cheap backloading rates for freight. We must be able to prove these benefits logically and in financial terms.

Another aspect that we may need to look at in the future is additional bulk-handling facilities. I am not talking about containers because we have adequate facilities to handle containers. I am talking about facilities for loose products such as cement.

Mr Finch: We do now.

Mr SETTER: Perhaps such facilities are there already and the minister can explain that for us. I was thinking particularly about clinker which could be imported from Kupang in South-east Asia which produces considerable quantities of cement. Kupang has the capacity to produce about 20 000 t of clinker per annum. That could be used in our cement factory. How would we handle that particular product? I do not know how it is handled at the moment and I hope that the minister can clarify that point.

Already, a considerable amount of cargo from South-east Asia comes through the port. Importers of timber are bringing products from Malaysia, from Kalimantan and from New Guinea and, hopefully in the near future, from Seram in the Province of Maluku in Indonesia through the Port of Darwin. The majority of that timber product will not be consumed by the Northern Territory construction industry, it will be sold interstate in bulk lots. It is transported down the Stuart Highway to the capital cities. It is a very successful business. Mr Roger Rooney has a contract to supply silica sand somewhere in South Australia where there is a major steel manufacturing plant. Silica sands are used in that process and they are being brought from somewhere in Indonesia. It is transported in bulk and is being trucked down the highway.

We are trading in live cattle. We have the potential to import enormous amounts of coffee and spices which are produced immediately to our north. People in the Trade Development Zone are importing yarn, cloth and various other components which are then manufactured into goods in the zone. Somebody

asked how much spice we use every year. Probably, we do not use a great deal in the Territory, but there is a considerable amount of spice used in the manufacture of food in the south.

Mr Palmer: Bulk spice carriers.

Mr SETTER: Not bulk spice carriers at all. Spice could be transported in bulk-packaged form - in containers or in large cartons.

Mr Speaker, there is the potential to develop trade in many products. Nortrade, the Department of Industries and Development and the Trade Development Zone have been promoting the Port of Darwin and the Northern Territory over a number of years in South-east Asia. On many occasions, visits have been made to that area to hold seminars and attend trade fairs. Business groups have been encouraged to visit Darwin and I understand there is one here at the moment in the Trade Development Zone.

Mr Coulter: 43 people.

Mr SETTER: 43 people have come to look at the Trade Development Zone.

Relationships are developing. Recently, I was in Jakarta with the Chief Minister and with a group of Northern Territory businessmen. We held discussions with people from Kadin, which is the Indonesian Chamber of Commerce, and also with the Australian Indonesian Business Cooperation Group which is a subcommittee of Kadin. We held discussions with the Indonesian Junior Minister of Trade and his executive staff. I can assure honourable members that, as far as trade with the Indonesians is concerned, the future looks very bright indeed. They are extremely keen to improve their trade with Australia and they have enormous confidence in the Northern Territory. We are very well placed to take advantage of the groundwork that has been done and the good relationships that have been developed to put in place, by way of the cost-benefit analysis to which I referred earlier, the land-bridge concept which we have dreamed about for so long.

In closing, I would like to compliment the minister on his statement. There are some very positive and encouraging remarks in that document. I would like to commend him for putting it together and bringing it to the attention of the House.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I thank honourable members for their positive statements. It certainly is time to be positive and confident about the future of the Northern Territory. The future of the Northern Territory will hinge on the future performance of the Port of Darwin as much as on any other single form of transport infrastructure. Of course, the port is only one component of the total transport chain and, in today's statement, I have concentrated on it deliberately. The Deputy Leader of the Opposition is correct in saying that there are other stories which need to be told. For example, the mooring basin has been the subject of past debate and of questions put in the House.

I sought to make 2 principal points in the statement and, judging by honourable members' responses, it seems that that has been achieved. The first is that we have progressed from the dim, dark ages of the 1960s. The historic reputation that surrounded the Port of Darwin is being turned around and I have evidence of that from numerous places. Secondly, I have sought to indicate how we can continue to improve and so ensure that the Port of Darwin becomes a most effective and efficient port. We will achieve that, firstly, through industrial arrangements.

In my statement, I mentioned the work of the interstate commission which is due to report in March. Many of the ideas are being initiated by unions themselves. The port requires up-to-date industrial relations arrangements, the multi-skills concept that I spoke about and a versatile, flexible work force that will result in more efficient operation, further reductions in idle time and far greater efficiency, resulting in cheaper costs to users. We have spoken to the unions about how they might participate and they have volunteered methods of marketing for the Port of Darwin. That attitudinal change over the last 20 or 30 years is encouraging and extremely refreshing. It is not only on the basis of our superior industrial record that we need to market but on the quick handling and the quick turnaround of vessels, and the quick clearance of boxes to get them on their way to the end consumer.

Of course, the rail was mentioned and we will deal later in the year with the rail development. I seek the support of honourable members on both sides of the House to ensure that it is not too many years before the Northern Territory realises that final link in the rail system of Australia.

I was disappointed in only one regard this afternoon, and it was not because of anything that was put forward by honourable members. It was by the fact that there was no comment and no participation from the latter-day, self-proclaimed advocates of the small business sector - and we all know that to be a folly. The only time that we hear from these so-called 'New Nats' or 'Tuxworth Nats' is when they want to carp, have a whinge or take a snide snipe at the Territory government about its alleged attitude to small business. Mr Deputy Speaker, you can find no clearer example of the Northern Territory government's commitment to the small business sector than the work that we are doing on transport and freight infrastructure. Whether it be for incoming supplies or export of their product, transport is critical. The growing reputation and growing efficiency, the greater volume of freight coming across the wharfs and the greater frequency of ships visiting the Port of Darwin provide clear examples of this government's commitment to seeing business progress in the Northern Territory.

The Deputy Leader of the Opposition spoke about cooperation with the unions, and certainly there is no secret about the way this government moves in its industrial relations. We are prepared to sit around the table and talk turkey with unions, and this has been demonstrated in many sectors. Naturally enough, we are never prepared to accept totally unproductive or poor industrial arrangements from any sector of the Territory community. Our industrial record is superior to that anywhere else in Australia, and that is no accident. It is so because we have a community where people can talk to each other, whether it be socially or about business. No clearer example can be found of progress in that regard than the Darwin waterfront.

We have some 13 unions on the waterfront and it is time for us to get them all together so that we have the ability to ensure that there are no disputations on demarcation or similar issues. I hope that the progress we should be able to make immediately following release of the ISC Report will provide a lead to the ports of Australia. Already, we have demonstrated that we are in front in many ways, and the new proposals which have been brought forward by the unions - as much as those promoted by government - will ensure that we are able to lead the way.

With regard to the need for more meat in the document, I accept the constructive criticism from the Deputy Leader of the Opposition about the ISC. I am not able to make much more noise about those arrangements at this stage, in that all parties to the ISC Report are holding back. In some cases, I

guess they are keeping their tinder dry, but in others they are awaiting the outcome with great expectations. We are looking to the federal government to ensure that it implements the proposals put forward in that report, and that will be extremely important. It is no good government commissioning you-beaut reports and studies unless it is prepared to implement them, particularly given the attitude of most of the participants in the review. I have great confidence that that will happen.

Naturally, the land-bridge concept has been much spoken about. What we are seeing at the moment is the flow of some of our own products out through Queensland. We lose 70,000 t per year of prawn which goes to the Japanese marketplace alone, and that goes via Queensland. That is totally unacceptable. What we are attempting to do through these various promotional means and the improvement of services is to bring Territory product through the Port of Darwin and further increase land bridging. Timber has been mentioned, and products that are out of South Australia particularly. The South Australian government is very keen to see development of the rail to ensure that its products have a short-circuit trip into South-east Asia and other marketplaces.

With regard to the Frances Bay mooring basin, in my statement I did mention some of the occupancy figures. It is clear that, to all intents and purposes, the mooring basin is fully utilised. As we projected in the first place, it returns total operational costs and we now need to look at the next phase of development of that very valuable industry. I understand that something like \$3m or \$4m-worth of business now flows to service industries supporting the mooring basin and the Frances Bay shipyard which, in itself, is a subject that I should dwell on at another time.

I would like to acknowledge the very direct involvement of the member for Nightcliff in the establishment of the Port Efficiency Task Force in the first place. It is a very effective tool and enables people to exchange views. I have been along to some of those meetings myself and heard people like the rig tender representatives put very direct questions across the table to the unions and receive very direct and, most of the time, very positive answers. It is a means of ensuring that people understand each other's needs and to obtain effective progress. As I mentioned, that method is now being looked at in terms of implementation in other ports. Once again, the Northern Territory government has been able to help lead the way in industrial relations and in improvements on the waterfronts of Australia.

In connection with international shippers and breaking down some of those historic barriers, officers from the Department of Transport and Works and the Manager of the Port Authority took a very brief trip early last year to the Philippines and Singapore, principally to look at promoting shipping services. The Philippines Shipping Council, which is responsible for some 400 ships ...

A member interjecting.

Mr FINCH: Mr Deputy Speaker, I was away for only 6 days and visited 5 countries. That trip did result in some gains for the Port of Darwin. Not only did we enjoy a good reception from the Philippines Shipping Council for a start but it added to that by responding to our invitation to become involved in the land-bridge concept because we were looking for more support for the railway. That council wrote to us and acknowledged that the railway land-bridge concept was extremely exciting and said that it would put all of its resources into trying to utilise the railway when it comes into being. The same happened in Singapore with its shipping council. Singapore is a very

busy place. It is the hub where most international shipping interchange occurs and it is very critical to the operation of the Port of Darwin. Again, the response was extremely supportive and positive.

The member for Jingili inquired about bulk handling. At the moment, we have facilities to handle lead and zinc and all the other products he mentioned. There is one thing we will have to do, and I hope it will come about very soon. If the McArthur River project goes ahead in the next few years, and if the company sees its way to utilising the north-south rail by bringing a link across in the region of Tennant Creek, we would need to make provision for some additional 0.25 million tonnes per annum in and out of the Port of Darwin. That is an extremely large additional load, and the Port Authority would need to look at specific handling facilities for it.

Mr Deputy Speaker, I thank honourable members for their contributions. If nothing else, if we have enabled members to understand the progress that has been made and to go away to sing the praises of the Port of Darwin and help to promote it through positive statements, we will have achieved all that we sought to do.

Motion agreed to.

LOCAL COURT BILL
(Serial 144)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

Magistrates' courts are the busiest courts in the Territory. Over 90% of all legal proceedings take place in magistrates courts. The government has continually emphasised the need for reform in the court system and judicial administration, a key aspect of that reform being to upgrade the status of magistrates' courts and to modernise them. Key initiatives have included the significant expansion of the court's civil jurisdiction under the Work Health Act, the development of new dispute resolution procedures, such as pre-hearing conferences under the Small Claims Act and, on the criminal side, streamlined penalty enforcement procedures. We now have in the Territory a magistrates' courts system which is second to none in Australia.

This bill provides for a new Local Court structure. It will facilitate the substantial increase and modernisation of the court's civil jurisdiction. It is a result of work by representatives of the magistracy and officers of my department. Throughout its preparation, there has been consultation with persons likely to be affected by the bill. Some months ago, I released a draft comment by the Bar Association and the Law Society. I am pleased to say that the bill has received strong support from the legal profession and magistrates.

The jurisdiction of the court is set out in clause 14. The jurisdictional limit of the court will be raised to \$40 000. Clause 14(1)(b) contains a clear statement of the court's jurisdiction to grant equitable relief. These reforms, in particular the raising of the jurisdictional limit to \$40 000, will lead to the more efficient control and disposal of civil litigation in the Northern Territory court system. As recently as 6 years ago, the magistrates' courts played a minor role in dealing with the community's civil litigation. The relocation of a significant element of civil litigation to

the magistrates' courts in recent years has led to a lowering of professional costs incurred by litigants and to much speedier rates of disposal. The increase in the limit proposed by this bill, from \$10 000 to \$40 000, will be to the benefit of litigants.

Clause 18 permits a party to civil proceeding to apply to the Supreme Court for an order that the proceeding be transferred to that court. The Supreme Court is given broad discretion to determine whether proceedings should be transferred from the Local Court. A right of appeal to the Supreme Court is contained in clause 19.

Part V sets out the means by which an order of the court in the civil proceeding may be enforced. Clauses 22 and 23 in part V will provide an enforcement procedure that is consistent with that of the Supreme Court. This may not sound revolutionary but I can assure honourable members that the Northern Territory will be the only jurisdiction in Australia where these procedures are consistent. Also in part V, the Local Court has been given wider powers to make it easier for creditors to examine judgment debtors as to their ability to pay debts and, at the same time, make it easier for debtors to apply to pay their debts by instalments. These are new and important powers and the government is pleased to be the initiating force behind such commonsense proposals.

Part VI provides various machinery provisions. The only new power is that in clause 32. Where a solicitor has caused a party to incur unnecessary costs by negligence or whatever, the court can order that solicitor to pay those costs. Such a power exists in the Supreme Court at the moment but not the Local Court.

This bill is not, however, the whole story. It deals only with the court's jurisdiction. Part IV enables the Chief Magistrate to make rules governing the court's procedure. A rules committee, chaired by a magistrate and consisting of representatives from the Law Society and the Bar Association, the court's registry and the Department of Law is to completely rewrite the rules governing the court's procedure. To a large extent, these rules will draw inspiration from recent reforms in the Supreme Court, where new rules came into force in 1987. In due course, these procedural rules will be tabled in the Assembly. The Local Court Bill will also be circulated to the professions. I am quite prepared to consider any further amendments which may become necessary as a result of such circulation or the deliberations of the rules committee.

Later during this session, I will be introducing a separate bill dealing with consequential amendments of a general statute law revision nature that will follow from the passage of this bill. I commend the bill to honourable members.

Debate adjourned.

NATIONAL CRIME AUTHORITY (TERRITORY PROVISIONS) BILL
(Serial 102)

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 extend the life of the National Crime Authority by abolishing the sunset clause and making consequential amendments.

The National Crime Authority was set up by Commonwealth legislation in 1984 to investigate organised crime, and its jurisdiction has been extended to enable it to operate in every state and the Territory by complementary state territory legislation. The Commonwealth act has been amended since 1984 to overcome various technical problems. In 1988, the Commonwealth decided to make the National Crime Authority a permanent body by abolishing its sunset clause. It is due to expire in 1989. Consequently, in July 1988, the Commonwealth Attorney-General requested the states and the Territory to amend their complementary legislation to abolish the National Crime Authority sunset clause and to make amendments consequential to the Commonwealth amendments. Legislation to this effect has been passed in South Australia. All states are expected to agree to the proposal and, certainly, the Territory is prepared to agree. Accordingly, clause 6 of this bill repeals section 34 of the Territory act, which contains the sunset clause.

There are 3 consequential amendments: first, in clause 3, to extend protections enjoyed by the authority to counsel assisting the authority; secondly, in clause 4, to enable the arrest of a person who has been ordered to surrender his or her passport, if it is believed that person is about to abscond; and, thirdly, in clause 5, to extend the secrecy obligation in the act to counsel assisting the authority.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr COULTER (Leader of Government Business)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Stamp Duty Amendment Bill (Serial 168) and the Taxation (Administration) Amendment Bill (Serial 169) - (a) being presented and read a first time 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.

STAMP DUTY AMENDMENT BILL (Serial 168) TAXATION (ADMINISTRATION) AMENDMENT BILL (Serial 169)

Bills presented and read a first time.

Mr COULTER (Leader of Government Business): Mr Speaker, on behalf of, and at the request of the Treasurer, I move that the bills be now read a second time.

The purpose of these bills is to delete the betting ticket head of duty from the Stamp Duty Act and to make consequential amendments to the Taxation (Administration) Act. The amendments remove a stamp duty which produces little revenue, and open the way for the responsibility for betting tickets, which are largely a mechanism associated with the control of betting, to be transferred to the Racing, Gaming and Liquor Commission. The control of

betting tickets is more appropriately a matter for the commission and complementary legislation will shortly be introduced by my colleague the Minister for Tourism to provide the appropriate cover in the Racing and Betting Act. To avoid any hiatus in administration, the amendments to the stamp duty legislation will come into effect on the same day as the relevant amendments to the Racing and Betting Act. Mr Speaker, I commend the bills to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 167)

Bill presented and read a first time.

Mr COULTER (Leader of Government Business): Mr Speaker, on behalf of and at the request of the Chief Minister, I move that the bill be now read a second time.

Section 166 of the Police Administration Act provides, inter alia, that goods coming into the possession of police must be held for 12 months before they can be sold or disposed of. Experience has shown that this 12-month holding period is far too long, with the result that some police stations are inundated with unclaimed goods. Nowadays, with modern equipment, facilities and procedures, inquiries as to the ownership of unclaimed goods are completed quickly by the police and thus the goods are left needlessly to accumulate for many months before they can be legally disposed of. There is an urgent need to reduce the amounts of unclaimed goods presently held by police and to ensure that holdings remain at a manageable level in the future.

Mr Speaker, the other requirement of publishing a notice in the NT Government Gazette before any goods are disposed of will remain in the legislation to ensure that owners are given the same opportunity as currently exists of knowing the whereabouts of their possessions, and the right to claim them. Naturally, where particular circumstances warrant, police will hold goods for longer than 3 months. I commend the bill to honourable members.

Debate adjourned.

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS) BILL
(Serial 170)

Bill presented and read a first time.

Mr DALE (Health and Community Services): Mr Speaker, I move that the bill be now read a second time.

This is only a small bill but the provisions it makes are highly important to administering justice in cases where people subject to good behaviour court orders do not maintain their good behaviour and break the bond they have entered into. In certain circumstances, prosecution of these cases is difficult because of small anomalies in the act as it stands. This is the reason behind my interest in having these amendments dealt with promptly so that they can quickly become law.

The amendments are entirely of a technical nature. In no way do they interfere with the spirit or intent of the legislation. The Criminal Law (Conditional Release of Offenders) Act provides the legal base for home

detention, the Community Service Work Scheme and a range of sanctions and penalties for offenders of the type generally referred to as probation. With this bill, we are concerned with that part of the act headed 'Conditional Release' and, in particular, sections dealing with release on good behaviour or good behaviour bonds as they are generally known and failure to comply with bond conditions.

Territory courts have the power to impose good behaviour bonds with or without recording a conviction and this is a useful and versatile option in terms of certain types of offences, the circumstances of people before the courts for those offences, especially for the first time, and the constant hope that the first time before the courts for them will also be the last. I mention this because I am concerned to see the good behaviour bond scheme maintain its usefulness and efficiency and continue to enjoy the confidence of our community.

As I said, the amendments proposed in this bill are very much of a technical nature. The first is to correct what may have been a typographical error in the past in section 6(1B) of the act where the cross-reference to subsection (1) should read (1A).

The next amendment will overcome the problem of section 6(3), not making proper provision for courts to deal with people who are summonsed to appear for suspected breach of good behaviour bonds. When information is laid before a justice alleging that a person is in breach of his or her good behaviour order, the justice may issue a summons directing the person to appear before the court or the justice may issue a warrant for the person's arrest. At this point, I should indicate what constitutes breach of bond in the act, and that is: failure during the period of good behaviour to comply with the conditions specified in the court order; failure to pay the penalty or an instalment of a penalty as provided in the order; and conviction, whether within or outside the Territory, for an offence committed during the period of good behaviour. A member of the police who believes a person is in breach of a good behaviour order may arrest the person without warrant.

The other difficulty in the act at present is in respect of section 6(6)(a) where a person has been convicted and dealt with by a lower court for an offence committed during the period of good behaviour. When the good behaviour order was originally made by the Supreme Court, the court of summary jurisdiction may commit the person to be dealt with by the Supreme Court. The proposed amendments to section 6(6) will make it clear how the Supreme Court can deal with the person in such circumstances.

There is not much more to be said about the bill itself. Its passage will smooth the way for prosecuting breaches of good behaviour in certain circumstances so that people who break the law, and fail to take advantage of the opportunity which a good behaviour bond allows them, will be returned to court promptly and firmly. I commend the bill.

Debate adjourned.

MARINE AMENDMENT BILL
(Serial 171)

Bill presented and read a first time.

Mr FINCH (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to revise the Marine Act which came into effect in November 1981. That act brought into effect a framework of marine legislation for the Northern Territory and called up the uniform Shipping Laws Code, which is now accepted by every state in Australia.

After the act had been in effect for 5 years, my department decided it was necessary to review it. A review has been carried out in consultation with the Departments of Law and Primary Industry and Fisheries, police, unions, the Confederation of Industry and the marine industry, including tourist boat operators and professional fishermen. As a result, we have the present bill which seeks to amend the Marine Act on the following bases: the need to tidy up minor errors and omissions of the kind which are bound to occur in any new legislation; the need to modify some provisions which have proven difficult to interpret, administer and enforce in practice; and the need to update provisions, where necessary, to reflect changes in policy and circumstances which have occurred since the act came into force.

The amendment bill also introduces some new provisions in the act. In some cases, such as those provisions relating to dealing with wrecks, this is to replace archaic legislation such as the South Australian Marine Board and Navigation Act 1881, which is still in effect in the Northern Territory although long since repealed in South Australia. It may interest you to know, Mr Speaker, that the latter act empowers officers of my department to 'demand the use of any wagon, cart or horses that may be near at hand' for the purposes of preservation of a wreck. The penalty for non-compliance is 100 pounds.

Other amendments include a new provision to prevent vessels from mooring across rivers and other waterways, thus impeding the navigation of other craft, and a provision to deal with the situation where the master of 1 vessel deliberately interferes with another vessel at sea. Both these provisions are introduced in response to instances which have occurred over the past few years.

The legislation reflects some changes in policy. Honourable members will be aware that the Territory has a growing tourist industry and that many of those tourists take the opportunity to go fishing or boating. This bill amends the survey and certificate of competency requirements in the current act to exempt commercial operators of boats under 5 m, if operating in sheltered or inland waters. This will enable safari operators and fishing guides to use small craft to carry additional persons, up to a maximum of 3, without the need to comply with the requirement for larger commercial vessels. Thus the bill facilitates such operations without making unnecessary compromises with safety. Safety is the prime object of this marine legislation and we aim to maintain standards of safety for the public in keeping with those in the states of Australia without imposing unnecessarily onerous and bureaucratic restraints on people's activities. It is hoped that this bill will amend the Marine Act in such a way as to achieve this object. I commend the bill.

Debate adjourned.

HEALTH PRACTITIONERS AND ALLIED PROFESSIONALS
REGISTRATION AMENDMENT BILL
(Serial 148)

Continued from 24 November 1988.

Mr BELL (MacDonnell): Mr Speaker, I do not propose to speak at length on what is essentially a simple bill. Let me assure honourable members that the opposition does not mindlessly support - or mindlessly oppose for that matter - simple pieces of legislation.

As honourable members will be aware, the bill will collapse the Osteopaths Registration Board and Chiropractors Registration Board into one board. As the honourable minister pointed out in his second-reading speech, the exigencies of running boards with Territory representatives of both these professions have proved difficult. In particular, with the Osteopaths Registration Board, there are difficulties with Territory registration because of the small size of our population and the small number of osteopaths who are resident as well as registered in the Territory. The opposition has considered the proposal that the government has put forward and has no hesitation in supporting it.

Mr DALE (Health and Community Services): Mr Speaker, I thank the opposition for its cooperation in this matter, particularly in relation to an amendment which will be moved in committee.

Motion agreed to; bill read a second time.

See Minutes for amendment agreed to in committee without debate.

Bill passed remaining stages without debate.

PETROLEUM PRODUCTS SUBSIDY AMENDMENT BILL
(Serial 156)

Continued from 24 November 1988.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition supports this legislation. Basically, it brings the Northern Territory into line with what is happening in the states of Australia. It unifies the payments which are made to the states from the Commonwealth.

Motion agreed to; bill read a second time.

Mr FINCH (Transport and Works)(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 Assembly do now adjourn.

Mr COLLINS (Sadadeen): Mr Speaker, I wish to raise a couple of matters tonight. First, I wish to bring to the attention of the House a further move in the British Isles by my favourite politician, Maggie Thatcher. In The Australian of a week or so ago, there was an article by Nicholas Rothwell in London, and I would like to bring to the attention of the House the intention of the Prime Minister of Great Britain to make some sweeping changes to the judicial system whereby, in simple terms, barristers will no longer have the monopoly of appearing in court: solicitors will be able to appear also.

A second monopoly in that country is also to be broken. I refer to conveyancing for payment, which has been solely the preserve of the legal profession. It will be allowed to be carried out by other bodies. As the article says, it is hoped that this will provide cheaper deals for the ordinary house buyer. Such moves in this Northern Territory would do exactly the same thing for our people, as I have said many times before.

Another action which Mrs Thatcher is proposing is in the British hospital and medical system, which we all know about. Some 320 of the big hospitals will be able to break away from the control of local health authorities and become their own agents, selling their services and operating like private hospitals in many ways. That is certainly of interest.

Mrs Thatcher's moves in relation to conveyancing have not entirely pleased the British legal profession. However, she is a Prime Minister who cares about people and she is not afraid to tread on the toes of some people when she can see that the ordinary citizen will get a better deal. We should be doing the same thing there.

Mr Speaker, 6 weeks or so ago, a young lad came into my office. He said that he was from Sydney and wanted to go to school in Alice Springs in Year 11. His complaint was that, if he were prepared to go out and work for a cleaner in after-school hours to earn a few thousand dollars in a year, the amount of Austudy money he received would be reduced. This was an eye-opener to me because I thought Austudy was granted for tertiary study only, but he assured me that that was not the case. His story was that he had left Sydney because he suffered from asthma and both his mother and father smoked and would not give up. He said that he had spent 3 or 4 weeks in hospital in Sydney and then had come to Alice Springs and was to get Austudy assistance as an independent student.

From one point of view I admired him, because he was prepared to work to supplement his income. He said that rentals of flats in Alice Springs were much higher than in Sydney and that he would be hard-pressed. However, he was prepared to go out and work to supplement his income. His complaint was that, if he did so, he would lose \$1 of Austudy for every \$2 he earned. I am not complaining about that principle, but what he went on to say staggered me. He said that large numbers of young people in Sydney were leaving their parents' homes, moving into flats and receiving the Austudy allowance.

Mr Speaker, what on earth is this country coming to? I put the matter to Senator Grant Tambling, who happened to call in at my office. I believe that he is now carrying out some further research into the matter. He said that Austudy is not always available and that students at tertiary level are means tested. However, if they establish themselves away from home or complain that they have been kicked out of home for a year, they can obtain the Austudy allowance.

Mr Speaker, I bring that matter to the attention of this House so that honourable members can consider it and keep their eyes and ears open. Really, it is a federal matter, but it seems to me to be a blatant abuse of a scheme. I think a review of the scheme is badly needed and it concerns me that children as young as 16, which was about how old this lad seemed to be, are leaving home and setting themselves up in flats and so forth. I believe that this gives them an ideal opportunity to get themselves into strife and trouble. If they are students, they need to discipline themselves and home is the best place for them. They are freeloading off the taxpayers of this country. No doubt Austudy was put into place with the very best intentions

but, in my opinion, it is being abused and that needs to be stopped. We need to do what we can to get the federal government to review it and see if they can block some of the loopholes which appear to exist.

Mr EDE (Stuart): Mr Speaker, I would like to pay tribute to 2 people from Lajamanu who, by their presence of mind, probably saved a young child's life. I do not know of any award which is appropriate in terms of what those people did and therefore I would like to place on record a brief account of the action they took which, in the view of the community health nurse, probably saved the life of the child and, at the very least, minimised the effects of what could have been a devastating injury, at considerable risk to themselves.

As honourable members would know, slippery slides which look to be in good condition can be very rusty underneath. This slide at Lajamanu was one of those. A young child, Gerald Watson, was playing on the slide when his arm went straight through the surface. The artery in his arm was cut and the 2 pieces of metal came back together, trapping his arm, which was nearly severed. At that stage, seeing what had occurred, Jeffrey Matthew Jagamara, who was president of the council at one stage and now works as a road foreman, got in behind Gerald and inserted his own hands into the break in the slide. Rex Patterson Japarula assisted him and, together, they were able both to comfort the child and to prise his arm free. Using their hands as tourniquets, they moved him from the slide to the clinic.

It is believed that there was a possibility that the child would have lost his life and a very definite probability that he would not have had any use of his arm. In fact, it is probable that he would have lost the whole arm. Depending on what the surgeon can do, there is now a possibility that Gerald will regain 90% to 95% of the use of his arm. In the view of the community health nurse responsible for that area, that is definitely due to the quick thinking of the 2 people concerned and their disregard for the possibility of suffering damage to their own hands in the process of helping the child. I take this opportunity to pay tribute to those 2 men because such quick-witted action, in a situation like that, is worth far more than any emergency services. It is the sort of thing that we expect of Territorians, but we are always happy to see it when it occurs.

On a less positive note, I want to comment on remarks which the Minister for Education made this morning on the subject of school fees and use of school libraries. The minister stated that the libraries are open until 9 pm every night for the use of senior high school students and intimated that, because students could study in the libraries, the inability to borrow books because of non-payment of school fees was not a real problem. Mr Speaker, as you would know, Sadadeen Secondary College no longer has its own library. It shares a library with ASCOT, the Alice Springs College of TAFE. That library will not be open at all at night, on any day of the week, until about 26 February. From then on, it will be open on 1 night per week for those people to go back and study.

I know that the minister said that people who cannot afford to pay their school fees can see the registrar or the principal and get relief. The fact of the matter is, however, that a considerable amount of shame is involved in doing that. People have to say that they cannot afford the fees and need an exemption.

Mrs Padgham-Purich interjecting.

Mr EDE: The member for Koolpinyah may never have been poor enough in her life to realise what it is like when you do not know when the welfare money will arrive and for that to be a matter of fear.

Mrs Padgham-Purich: I was poor mate, and so was my mother.

Mr EDE: She obviously lived in a different situation to that which I lived in and which some people live in now if she does not know enough to be able to empathise with people who are so poor that they have to go to people in authority and confess their poverty and inability to be the same as other people.

Mr Speaker, my point is that, if a blanket exemption is to be given to people who cannot pay their fees, why is there a restriction on borrowing books in the first place? Why not just let those people go in and get their library books? Quite apart from that, why are we using restrictions on borrowing books from school libraries as a penalty for people who do not pay their school fees? Surely, we still have sufficient belief in a free education system not to deny people access to library books! I really hope that the honourable minister will do something about this situation. I intend to hold him to what he said this morning, and I will quote him: 'As I said, as far as the government is concerned, we will ensure the students have access to the necessary materials which enable them to carry out their activities and enjoy all the opportunities available to them through our education system in the Territory'. Given what he has said during the previous couple of days, that may sound as if he is playing with words, in that he did not say, as I asked him to, that he would guarantee people access to their libraries. However, I hope that we can read into his words that he will do that.

There is one other point that I would like to make and it concerns class sizes in the Northern Territory. For some years, it was a matter of pride among people associated with education that the Northern Territory compared very well with other places in Australia in terms of the sizes of its classes and the number of teachers in schools. Successive ministers have spoken of it as something which we should all be proud of and they have used it in response to arguments. In fact, this morning, the honourable minister used the same argument. The fact is, however, a survey carried out for the Australian Teachers Federation by a South Australian group compared figures between 1986 and 1988 and demonstrated that, while our figures used to compare very well with the states, we are worse off now than we were just 2 years ago.

The proportion of classes containing more than 20 students was just 50% 2 years ago. Now it is 65%. At the infant level in primary schools, classes with more than 25 students have risen from 11% 2 years ago to 23% now. At the general primary school level, the proportion of classes with more than 20 students has risen from 67% 2 years ago to 70% now. At the same level, the proportion of classes with more than 25 students has risen from 27% to 39%. At the junior secondary level, 2 years ago, just over 70% of classes had more than 20 students but now the figure is over 92%. The proportion with more than 25 in a class 2 years ago was only about 42% and is now over 57%. At the senior senior secondary level, the proportion of classes with more than 20 students was 44% 2 years ago and has now risen to 52%. I am told that we had better luck in 1 category, which is the percentage of classes with over 25 students in Northern Territory schools. That has fallen from 14.5% to 2%. Finally, the percentage of classes with more than 30 students was nil 2 years ago and is now 2%.

In the last 2 years, in the majority of categories, the proportions of classes with numbers over the designated size has increased very substantially. I put those figures on the record simply to indicate that the situation that was in existence only 2 years ago, where we looked very good on class sizes compared to the rest of Australia, unfortunately no longer applies. The government should no longer use those figures and that argument to justify any cutbacks in schools. We are now down to the bones.

Schools have cut back. They have cut back on the services they provide, on the resources they have and on maintenance. They have cut back in every area and they have now reached the bare bone. I would appeal to the honourable minister not to inflict any more cuts on schools. Rather, I invite him to look at some of the areas where some quite incredible things are still happening.

Before I finish, I refer the honourable minister to the school at Finke. The school at Finke did not have a cleaner for the final 15 to 16 weeks of last year. It wrote to the department from about September of last year and was promised a cleaner at the beginning of this year. That has not occurred. The full-time janitor was cut down to half-time. As you may know, Mr Speaker, Finke has a 2-teacher school, but it has only 1 classroom. It is quite difficult to teach some 49 students, in 2 classes, using only 1 classroom. As a last resort, the storeroom was modified and has been used for the second class. However, the point has now been reached where so many people are crammed into the 1 classroom and the storeroom that, if students want to move around, they have to climb up on top of a desk and walk around on the desk tops in order to move around the classroom.

Naturally, this situation has had an effect on morale at the school. In addition, people at the school find it very demanding when, at the end of a hard working day, they have to turn around and do the cleaning. Nor is this situation an isolated one. The same thing occurs at Imanpa and, given the problems that we had there last year, I hope the situation will be rectified.

Mr HATTON (Nightcliff): Mr Speaker, before I deal with the subject I want principally to talk about tonight, I must make 1 or 2 brief comments about some of the matters raised by the member for Stuart.

On the question of school fees, the honourable member made a strong plea on behalf of the poor in the community for dispensation to be provided for them in recognition of the embarrassment caused to people through having to come forward and say that they cannot afford to pay the fees and require special action to be taken to assist them. I can understand that situation. I think most people can, to an extent. However, the honourable member must address the other problem that faces school councils. We should all remember that it is the parents, through the school councils, who set the fees and make the rules, and the spending of that money is determined substantially by the school councils. That is why there are such big differences between schools. That is always forgotten.

If the honourable member opposite wants to say that parents should have less say over those issues, then let him stand up and say that to the parents who work very hard in the schools and who have been pressing government to allow them to have more say in the education of their children and in how the schools run, and how the school budgets spent. The honourable member needs to recognise that a school's fees are set by its council, which also substantially determines the allocation and expenditure that money. Generally, the rules are set by the parents, through the school council. He

also needs to note that the great difficulty that the schools have is not with the poor people who cannot afford to pay. In schools generally, we find that the struggling, hard-working and poor parents deprive themselves and make the effort to pay the school fees, and all credit to them for the effort that they are putting into their children's education. Peculiarly enough, it is those people who have money and can afford to pay but simply will not, because they want to spend the money in the pub or on a new car or whatever, who create a real problem for the school councils.

Mr Ede: Perhaps they believe in free education as a matter of principle.

Mr HATTON: I would like to address the issue of free education. Of course, education has never been free. It is relatively free. Certainly, we do not pay the cost of the teachers' wages. We are not paying private education costs, and it is basically ...

Mr Ede: What school did you go to in Surry Hills?

Mr HATTON: Mr Speaker, I did not go to Surry Hills School. My wife attended Surry Hills School. I went to school at Campbelltown.

The honourable member made a big fuss directed at the member for Koolpinyah, and she put him down nicely. I do understand the problems of those poor people who are paying fees. If the honourable member thinks that I do not understand the issue of payment and penalties for non-payment, I can inform him that, in my matriculation year, I could not get textbooks until I had done enough part-time work to be able to pay the school fees, which took a whole school term. If he thinks I do not know what I am talking about, let him think again.

When we talk about being able to borrow library books to take home, we are a long way from that situation. Schools and school councils, made up of parents of students in those schools, have made those decisions. I do not want to get involved in that debate. I am involved with school councils in my electorate and I will deal with the matter on a local basis, where I should be dealing with it: as a parent on the school council. I support the view that the school councils and the parents, through the school councils, should have a say on those issues.

Mr Ede: Do you reckon there should be no libraries? No borrowing rights?

Mr HATTON: Mr Speaker, that is a matter for the schools. In my electorate, we will deal with the parents, and I do not believe that we will have the problems that the honourable member is talking about.

The honourable member spoke also about cuts in teacher/student ratios. Of course, he was really referring to the changes made in 1987. What he failed to say, as the Teachers Federation and the opposition continually fail to say, was that what happened in 1987 was that the government said it would enforce the student/teacher ratio agreements and remove the excess numbers of teachers in the system over and above those ratios. That was the basis of what happened in 1987, when the system was put in place. I stand by those decisions. I would ask the member to identify decisions taken since then. There have been no government decisions changing student/teacher ratios since that time. That is the period which the honourable member is speaking of.

I would like now to address the particular issue I rose to speak about. The member for Stuart can leave. It would not interest him because it has

something to do with Darwin. It is north of the Ti Tree line and therefore he would not have any interest in the subject at all.

Mr Collins: There is nothing wrong with the Ti Tree line.

Mr HATTON: I do not say there is but I like to look at both sides of it.

The subject I would like to deal with is a matter that is developing in the community in Darwin. It is a local government matter. Members may have seen some public comment about moves by the Darwin City Council with respect to the public swimming pools in Darwin. There are 2 aspects that are of concern to me. The first is the extent to which the Darwin City Council is proposing to move in its so-called privatisation of the swimming pools. The second is a decision that has been taken recently in relation to the charges that the council will levy for the cost of coaching rights at the pools. I will deal with the privatisation issue first.

I would ask honourable members to recognise that, as is generally the case throughout the Territory, the public pools in Darwin were provided by the government, free of cost to the council. Certainly the council meets the maintenance and operating costs. Darwin City Council says that it costs some \$50 000 a year net to operate a swimming pool. That sounds like a great deal of money but the figure should be put into perspective. It would be about equivalent to the total cost to council of hiring an accounts clerk in its office at a salary of about \$25 000 a year. When the oncosts are taken into account, that figure would be at least doubled to cover the cost of employing that person. The costs of operating a swimming pool would more appropriately be compared with the costs of maintaining an oval, which are in excess of \$20 000 per annum. The swimming pools are important public amenities for the community. Certainly, a charge should be levied for their use, but they provide a valuable and important public amenity to the people of Darwin.

Over the years, I have spent some time at swimming pools. We know that, throughout the wet season, we should not swim in the ocean because of the sea wasps. We know that we should not swim in billabongs and rivers because of crocodiles. That means the only safe places to go for a swim are perhaps Howard and Berry Springs or the public swimming pools. In Darwin's wet season, it is important for people to be able to have a swim in those public facilities. I can advise honourable members that they are well used, and not just by the dedicated swimmers. If anyone goes to any public pool at 6 am, he will find numerous people doing laps as a form of physical exercise which is good for their health. Also, quite a number of young people train in the public pools in the mornings and afternoons. During the day, groups of children from schools can be seen doing learn-to-swim programs and survival swimming, learning lifesaving and undertaking Austswim programs. Vacswim programs are conducted during school vacations. Pensioners go to Nightcliff swimming pool a couple of mornings a week at mid-morning to participate in a recreation and exercise program. There is a range of other uses for the pools. They are important community assets.

In any process of privatisation - and I have been a supporter of privatisation of this, that and the other thing in the Territory - one must ask to what extent any government should privatise. Already, private contract managers are running the pools as their own businesses. That is a form of privatisation. If one privatises the pools totally, will the private operators be able to charge whatever they like? If that is the case, what arrangements will be made for the pensioners, disadvantaged people, schoolchildren and social security recipients who use the pools at

concessional rates at the moment? Will pool operators be constrained in their private operation or will they build new you-beaut facilities at the pools?

There is a need to start asking some questions about the rationality of this so-called privatisation. At present, the pools have private, contract businesses operating them. Tenders are called and a fee is set. That, in itself, is a form of privatisation. The managers are not employees of council, running the pools. Those people have to hire staff because the pools are open 7 days a week, basically between 6 am and 7 pm, except for 2 hours during the day. Those are long hours, 7 days a week and all year round. The managers pay the costs of other staff, maintaining the equipment and cleaning the pools. They are doing a good job.

A careful examination needs to be made of that situation to avoid - to use a pun - throwing the baby out with the bath water. Those pools are important public amenities and we do not want simply to turn them into another commercial business operation for the sake of saving council per pool the equivalent of maintaining 2 ovals from which it obtains virtually no revenue each year. That is really what we are talking about. Let us put it in perspective. I think it is a reasonable and acceptable cost for a local government to incur in order to provide an important local community amenity.

The second matter I would like to raise relates to coaching rights. I have been involved with swimming coaching in Darwin, on and off, since 1975. In fact, I have worked as an amateur coach in Darwin for 8 years or more.

Mrs Padgham-Purich: Have you been moonlighting?

Mr HATTON: No. Until I went into politics, I coached almost all the time from 1975 to 1983, on an amateur basis. I have watched, with pride, the development of swimming in the Northern Territory.

In the 1970s, a major conflict arose over coaching and pools. To resolve that, the clubs were given the coaching rights for the pool. They found a club coach who operated from a particular pool. That has worked very successfully. Professional coaching has developed and swimming has gone ahead in leaps and bounds. We all take pride in Megan Fanning and Ian Vander-Wal, who are products of that very successful partnership which developed. At the moment, I understand that the clubs pay \$600 a year for coaching rights for a pool. They pass that charge on to the coaches.

I understand that the council has decided that there is some money to be made out of this and have decided to charge \$3000 a year. The clubs cannot afford that, and I can say that the professional coaches cannot either. My information is that a coach - and I can quote only ballpark figures from Nightcliff - who has a very large squad, earns about \$4500 a year from coaching, out of which he pays 2 assistant coaches at \$12 an hour. His net revenue is about \$1500 to \$2000 before tax. Nevertheless, if this move by council goes ahead, he will be required to pay the club \$3000 for the privilege of coaching. This lunacy will set swimming back 20 years and, if the council continues with it, we will lose professional coaching.

The council needs to think very carefully about what it is doing and how it affects the development of an important and valuable sport which assists many young kids. I can see what will happen. The clubs will turn to the government and ask for more money to keep the coaches. It will be a backdoor way to increase funding to the council. I will watch very carefully what is occurring in this regard.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, at the risk of being accused of indulging in tautology, I would like to add an addendum to what I said yesterday regarding the undesirable strip shows at licensed premises in Darwin and other places in the Territory. Not very long ago, a letter appeared in the NT News. Unfortunately, it was written above a pseudonym. I am sorry that the person did not sign his or her name to the letter but, like myself, many women were amused by it and recognised the truth of what was said. This letter dealt with the reasons why people go to strip shows and I believe it is worth while to refer to its contents.

Its first point was that the strip shows are attended only by men. One very seldom sees women at these shows. Those men show a great deal of pleasure in being with other men. According to the letter, and I agree, these men could be accused of making lascivious remarks to the performers. Of course, this is to demonstrate their macho makeup. Naturally, watchers of the strip show would express great distaste if anybody said they were homosexuals or of that bent. However, I believe that there is more than a grain of truth in the letter's statement that their expressed hatred of their real sexual inclination is really an expression of fear. If these men really want women, why are they with other men? If they are expressing their sexuality through their macho behaviour at strip shows, why do they express it in the company of men? The writer of the letter used a pseudonym, 'Theorist, Darwin', and my views parallel the views which that writer expressed. One would question the sexuality of the blokes who go along to strip shows, at the beginning and also at the end.

Mr Speaker, I turn now to a more serious subject. A person has approached me about a matter, and I will refer to him by name because I think it is worth recording the views that he has put forward. As well as approaching me, Mr David Loveridge has publicised his views in the press and in the rural area, of which he is a resident and, incidentally, one of my very good constituents. He is also a very well-known businessman servicing the rural area. His views could only be supported by sensible people in the community and people who wish to see closer settlement of the rural areas of the Northern Territory and solid, stable settlement of the Northern Territory generally.

Mr Loveridge's view, and the thrust of his letter to me, is that the government should look pretty closely at implementing easier subdivision of large pastoral holdings. I believe that it is immaterial who actually subdivides, whether it is a pastoral lessee who sells at a profit, or whether the government subsidises the process. Of course, consideration would have to be given to whether blocks in a pastoral subdivision could carry cattle or whether they should become agricultural blocks. However, I believe that there is a great deal of sense in this suggestion.

Now is the time to interest people in coming to the Territory. We have been told repeatedly and on good authority that the population of the Territory has been decreasing and continues to decrease. We are losing working people from the Territory and we should try to keep them here at all costs. I am not talking about the people who come up here on the dole to get away from the southern winters, stay here for a couple of months and then shoot through up north, or those who stay in the Territory on their way from the north to the south. I am talking about the people who want to settle here: husbands, wives and families.

In other parts of Australia, it is very difficult for young people to get a toehold on any land. Land is very difficult to obtain. However, there are

still people in the Australian community, both in the Northern Territory and elsewhere, some of them young and others middle-aged, who have either the expertise or the expertise and a few dollars, and who are willing to come and settle in the Northern Territory on small pastoral blocks or agricultural blocks if larger pastoral holdings are subdivided.

Before I receive a deluge of phone calls from people in the pastoral industry asking what I am on about, I would like to stress that I am not suggesting that the government should step in and reef areas off the properties of pastoral leaseholders in order to subdivide them. I believe that the situation should be actively examined, not only by staff in the Department of Lands and Housing but also by staff in the Department of Primary Production and Fisheries. Those departments should actively examine this situation because, once we lose a large number of long-term residents, it will take us a long time to get a solid, stable population back into the Territory. What better sort of people could we have in the Territory than people who are interested in primary industry? As the member for Sadadeen says, such people are the salt of the earth. They put their money where their mouth is. They invest all their labour, capital and time in the Territory. Usually, they are the people who stay in the Territory through thick and thin and they are the sort of people who should be encouraged.

We have seen increasing activity in the horticultural and agricultural industries, although the pastoral industry has been going through the doldrums with the BTEC program. At some stage in the future, when all the shooting and killing finishes, perhaps we will see a resurgence of activity in the cattle industry and associated industries such as the buffalo industry.

The course of action I am talking about would be to the betterment of the Northern Territory in more ways than one, if the government would only take it on board and look at it. It would let people have a go, allow them to put their money where their mouths are and encourage them to do what they want to do in the Northern Territory in terms of productive work and assisting our economy. For many years, people in the pastoral, agricultural and horticultural industries have been showing the lead to the government. I am not knocking the officers of the Department of Primary Industry and Fisheries, who are out in the field trying to help people through extension work and research work. They are following in the footsteps of the individuals who have already blazed the way. They can only do what they are told to do and the directions come from the top. Unfortunately, there has been a sad lack of direction from the top in primary industry in the Northern Territory for as long as I have been here. I believe that the people who make the decisions in the primary industry sector of the public service should be out in front, encouraging people to come to the Territory to try their luck and to set up small family farms, to give it a go to help the economy of the Northern Territory. They should be out there advising those people and telling them to grow this or to grow that. Unfortunately, that is not what has occurred in the past.

If the honourable minister is interested, I can cite many cases over the years in which it has been the private farmer who has tried things first. He has tried them on his own recognisance with his own finance. He has not always been successful, perhaps trying 5 things and being successful with 2 and always having to bear the cost. Whilst I appreciate the help which has been offered to me personally by officers of the Department of Primary Industry and Fisheries, as do others engaged in primary industry who have received assistance, nevertheless I believe that there has to be a shake-up at the top. A lead has to be shown to primary industry rather than the

department following in the industry's footsteps, and that lead has to come from the top.

While I am on that subject, I have to give credit where it is due and I must say that I am very pleased that the honourable minister, through his department, has seen fit to appoint in his department an expert in goat husbandry. I have had quite a few conversations with this gentleman and have mentioned him to other people interested in the goat industry and he seems to know what he is talking about. I am very pleased that this step forward in the recruitment of new staff in the Department of Primary Industry and Fisheries has taken place.

I understand that a specialist in poultry husbandry has been appointed also, which might interest you, Mr Speaker, because of your personal interest in the poultry industry. I have not had occasion to speak to this person yet, to exchange views. If my information is correct, I certainly will do so in the future. To conclude, I would like to say again that I can only compliment the minister on his staff in the Primary Industry Division of his department. I do not have much to do with the Fisheries people. It is mainly concerning the primary industries on the land, not the water, that I have matters to discuss. However, I can only compliment the staff of the Department of Primary Industry and Fisheries on the help that they have given to myself and to other people that are known to me, when we have asked for help. I believe the direction has to come from the top. There has to be a bit of a shake-up, and it is not before time that the Department of Primary Industry and Fisheries gave the industry a lead.

Mr TUXWORTH (Barkly): Mr Speaker, I rise in the debate tonight to talk about a small electoral matter that will be of importance. It is on about the same scale as the Fitzgerald farm. However, before I continue on that, I will come back to the interjection made a moment ago by the Minister for Primary Industry and Fisheries. He interjected whilst the gentle lady from Koolpinyah was speaking, saying that we had a really good year last year and we can expect to have another one this year. Really, that highlights ...

Mr Reed: That is not what I said.

Mr TUXWORTH: It is what you said. Go and get the book and read it. God Almighty, you do not even remember for 2 minutes what you have said.

The minister's has highlighted his total lack of understanding of his portfolio. Anybody in the industry can tell you, Mr Speaker, that you cannot keep on selling more and more beef. There has to be a time when your breeding herd catches up, so you can stay in the game. Anybody will tell you that the biggest problem we have in the Northern Territory at the present time is ...

Mr Reed: Is you.

Mr TUXWORTH: ... is breeders - and you do not even understand that. The problem is that the minister has been tucked on the government nipple for so long that he has never had to make a buck of his own and cannot understand the problems of people that do. If he had gone to the buffalo industry meeting and got an earful there, as the member for Koolpinyah and I did, he would have a better understanding of what it is about.

Mr Speaker, tonight, I would like to put in a word for a pioneer Territorian, a gentleman called Jack Chambers, who is doing it pretty tough at the moment at Renner Springs. I believe Jack Chambers came to the Territory

in the late 1940s and took up Eva Downs at that time. Later he moved off it and set up Renner Springs Homestead. He has lived at Renner Springs, raised horses and run a Hereford stud over the years, and has generally played a very inspiring role in the development of primary production in the Northern Territory.

At this stage, Mr Jack Chambers and his wife are now pensioners living on their property, and they rely entirely on their own resources and the pension to survive. For some time, Mr Chambers has been seeking government assistance with the repair of a bore that he needs to maintain a water supply. People who can remember Renner Springs in the late 1950s will recall that it was a dustbowl. What Mr Chambers and others have done over the years to beautify the place is quite remarkable.

Mr Chambers himself has made several pleas to the government, and I have made several to the Minister for Mines and Energy and the Minister for Transport and Works on his behalf, seeking assistance with the repair of his bore. Whilst I accept that the ministers might feel that there is a precedent and that assistance should not be given to Mr Chambers, I put it to them that this is one of those circumstances where it is truly to the advantage of the Territory to have a good bore operating at that site, in fact several good bores, because of the nature of the property and its position on the highway. I have to say that, over the years, the government has found it very convenient to have the Renner Springs bores there in terms of their providing water for road building. Although not much road building is occurring at the moment, it would be to the Territory's advantage to have a bore available.

Some weeks ago, in fact on Friday 13 January, Mr Chambers' remaining bore collapsed and a passing Brambles crane was used to try and pull the rods and the casing so that the bore could be made operational again. The rods and casing snapped off about 20 ft down, and he is on an emergency supply of water that he is finding very difficult to keep up. Mr Chambers advises me that the campers and passers-by who use Renner Springs water are also finding it is not very pleasant because the water that they are on now is smelly and that does not encourage tourists to use plenty of it. It is not potable and it is not very pleasant to use for any purpose.

I would put in a word for this pioneer of the Territory, Mr Jack Chambers, to the ministers and ask them whether they would be prepared to use their good offices and find some way of assisting him with repairing the bore. It could be done on the basis of the government owning the bore and maintaining the right to use it for water supply for roads or whatever at any time it likes, or perhaps it could give him a nominal fee for assistance. This is another of those cases where battlers like Mr Chambers and the Fitzgeralds do require a little government assistance from time to time to keep going because, over the years, they have and will continue to provide a really good service to the Territory community.

On another matter, the Minister for Education announced several days ago that an additional teacher would be appointed to the Tennant Creek High School. I welcome the minister's announcement. It is very helpful. What he is really doing is acknowledging that many people have worked very hard in the last month keeping the school timetable and the class routine together, when they knew they were understaffed and they did not know how long the dispute with the Teachers Federation and the school council to throw up their arms and give it away, but they hung in there and they have argued a very good case. The minister has listened to it, and I am sure that the new appointment to the school will make the world of difference to the timetabling.

The reason that I think it is so important is that the federal government has been very successful in its program of trying to keep children at school for Years 11 and 12. What we are seeing now is really a new generation of high school students remaining at school, but they will only do so if they can study the subjects that are of interest or of value to them when they leave school. It will become more important than ever for the Department of Education to be able to provide those subjects in the smaller communities so that children will remain at school. If we want to be practical about high schools like Tennant Creek, most of the kids there, particularly the Aboriginal children, will not move away. They will be looking for their employment opportunities in that community. Now that we have them in school, it is important that we provide the opportunity for them to study the subjects that are important to them and that will give them good job opportunities. The benefits that will flow to the whole of the Territory from that are significant.

Honourable members from Alice Springs have told me that the Anzac Hill High School situation is much the same, and I hope for that school's sake that it gets an additional teacher as soon as possible.

Another item I would like to speak on tonight relates to the proposal by Aboriginal groups in Tennant Creek to become involved in housing development in other towns, such as Elliott and Borroloola. I would like to place on the record that my objection to organisations like Julalikara becoming involved in housing development in Borroloola or Elliott has nothing to do with excluding Aborigines from the home building industry at all. It is just that, in very small communities like those, there is a limit to the number of people available to be members of organisations. There is a limit to the amount of work and money that is available, and there is a limit to the amount of bureaucracy that small towns can absorb.

I am of the view that, right across the Territory, we should be making a special effort to ensure that remote community government councils and small town councils have the opportunity to participate in home construction in their communities, if that is their wish. That may mean that the government may like to take money from the Housing Commission at some time, or talk the ABTF into providing additional funds so that, each year, each community is building a couple of houses in its own community. From that it will gain experience and confidence. It will provide job opportunities and it will make people feel as though they are doing something worthwhile for themselves. The opportunity is there for us to do things in every town and every community, in terms of house building, and it does not have to involve big dollars. In some of these communities, even 2 houses a year would be a very significant step for the councils to take. That is something I think we ought to look at and consider.

Mr Speaker, the other subject I will touch on tonight is rather interesting, at least to me. It concerns a person who used to come to Darwin to play sport many years ago and it relates to Saturday's football match between Port Adelaide and the Territory, in which the Territory did us proud. In the first quarter, Port, the bigger and fitter-looking team, really had it all its own way and I must say that I experienced a few moments of apprehension. The one thing that people from outside Darwin always have to contend with and find a really big problem is the humidity. People in Darwin forget that it is even a problem. They live in it and play in it all the time and do not see it as a problem. Because you have been a sportsman, Mr Speaker, you would know that if you come from Tennant Creek or Alice Springs or anywhere south of Katherine to play any sport in Darwin at a

competitive level, you start 10 points behind because the effect of humidity on people who are not used to it is absolutely draining. I am grateful that the humidity took its toll of Port Adelaide last week and I am sure it will take its toll of any other challengers in the future. For that reason, the Territory will be in a good position to fight off most challenges.

It was a great game of football on Saturday and one that Territorians everywhere can be truly proud of. I would like to tender my congratulations publicly to John Taylor and his gallant team for their effort. I think it is also important that I pass a special comment about the performance of the Deputy Clerk. He really did steal the show in the curtain raiser. I would never have dreamt that he was a footballer in his day. However, he was really jumping around like an enormous fairy, and full marks to him.

Mr Ede: Would you like to rephrase that?

Mr TUXWORTH: I would not like the Deputy Clerk to take the word 'fairy' as being used in an offensive way, Mr Speaker, but he was struggling with the humidity.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I wish to respond to some comments made by the member for Barkly, particularly his suggestion that I have been too long on the government nipple. That is a fascinating comment because it really illustrates how two-faced the member for Barkly can be.

Mr Tuxworth: You've always been on the government nipple.

Mr REED: He repeats his remark that I have always been on the government nipple. It is curious for me to reflect and remember that it was the member for Barkly, soon after a certain debacle when he went scampering away from the CLP, who came to my office in Katherine - when I was still on the government nipple, as he says - and pleaded with me for over an hour to seek preselection.

Here we have a classic indication of just how two-faced this man can be. On the one hand, when it might have been to his advantage, it was fine for him to come to me. Other people can verify that it occurred because, although the conversation was private, people were waiting. At that time, in the pursuit of his own ends, the member for Barkly had no problem with seeking the support of somebody who was on the government nipple.

Mr Hatton: He has been on it for 15 years.

Mr REED: As the honourable member for Nightcliff points out, the member for Barkly has been on the government nipple for some time too. At one stage he had so much nipple in his mouth that he almost choked. He got into a little bit of TA, and many people in the Territory will remember that. Indeed, those were the very circumstances that led me to consider running for preselection for the CLP. I was Chairman of the Katherine Branch of the CLP at the time. The Katherine people were putting a good deal of pressure on me in relation to the high moral ground that the member for Barkly was taking. Of course, he takes that position now. At times, he can sound very caring and very sympathetic over the radio. That is the way he puts himself across.

I just want to put on the record the fact that this is a classic illustration of the attitude that the member for Barkly adopts. I think he will find that I have never attempted to conceal the fact that I have been, as

it were, on the government nipple. Indeed, I take exception to his remark, and not only from a personal point of view. There are some 15 000 public servants in the Northern Territory, all of whom are on what we might call the government nipple. They are doing their jobs and they are doing their best for the Northern Territory.

It is an absolute disgrace for the member for Barkly to stand up in this House and cast a slur on those people, through his reference to me. Of course, those people will not forget. He may be taking the high moral ground now but they will not forget that he had his little share of the TA and that he had a loan which he would not pay back and paid no interest on. All too frequently, the member for Barkly takes the high moral ground, expressing very caring and sympathetic attitudes, and if we have a failing on this side of the House it is that we do not speak out about him when we have the opportunity. We have been gentlemen, but I am sick of it and I am going to speak out. Mr Speaker, I wanted to put the record straight tonight because I am concerned about the type of comments which the member for Barkly makes so frequently.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

PETITIONS

Strip Shows on Licensed Premises

Mr LANHUPUY (Arnhem): Mr Speaker, I present a petition from 19 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I do not propose that the petition be read as it is similar in terms to other petitions already presented.

Barramundi Management Plan

Mr FIRMIN (Ludmilla): Mr Speaker, I seek leave to present a petition relating to the barramundi fishery. The petitioners' signatures appear on attachments to the petition, which is contrary to standing orders.

Leave granted.

Mr FIRMIN: Mr Speaker, I present a petition from 1273 citizens of the Northern Territory requesting the Assembly to proceed with the Barramundi Management Plan. 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 the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth that there is a grave concern in the community with regard to the decimated barramundi stocks caused by commercial netting and poaching. The loss of this natural resource traditionally has a profound negative effect on a very broad range of businesses including the suppliers of sporting goods, boating equipment, off-road vehicles and associated businesses, camping equipment and the tourist industry and its infrastructure and on the personal sporting and recreational interests of individual and families alike. Your petitioners therefore humble pray that the Legislative Assembly will proceed with haste with the Barramundi Management Plan and, further, the Northern Territory government is urged to eventually extend the plan to forbid commercial netting of barramundi, encourage barramundi aquaculture for commercial purposes, forbid the commercial export of barramundi, forbid the possession of gill nets and increase the penalties for black marketing of fish, poaching or illegal netting. Your petitioners, as in duty bound, will ever pray.

Strip Shows on Licensed Premises

Mr PERRON (Chief Minister): Mr Speaker, I present a petition from 48 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I do not propose that the petition be read as it is in similar terms to a petition presented earlier during these sittings.

Strip Shows on Licensed Premises

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I present a petition from 149 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, 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 the undersigned citizens respectfully sheweth that they are opposed to the proliferation of strip shows and the use of bare-breasted waitresses in hotels and restaurants. These activities are degrading to women and family life as well as to those who participate. Sexual abuse and family violence are rampant in our society and these activities only exacerbate the problem thus undermining family life. Your petitioners therefore humbly pray that the Legislative Assembly of the Northern Territory will remove strip shows out of the hotel industry and will formulate a code of ethics enforceable by law against licensed places offering strip shows.

STATEMENT

Year 10 Assessment in English and Mathematics

Mr HARRIS (Education): Mr Speaker, it is now a little over 18 months since the government, through the then Minister for Education, released a discussion document titled 'Towards the 90s'. In his foreword to that initial discussion paper, the minister commented that there were 'community expectations that schools should strive for excellence and also for better performance by students against recognised standards'. Mr Deputy Speaker, today I am pleased to be able to announce a government decision that will bring home to Territorians hard evidence in black and white on the performance of our education system.

Following the introduction of 'Towards the 90s', the government began a process of community consultation through which many written submissions were received. The submissions covered every initiative proposed in the document 'Towards the 90s'. The government is continuing its work to develop strategies such as the Master Teacher scheme, devolution, school improvement plans, local staff development, industry links and curriculum and advisory services. This year, we will see many of these proposals and suggestions converted to firm government policy as a result of the feedback generated by 'Towards the 90s'.

Mr Deputy Speaker, as we made our way through the many submissions and comments, it became clear to the government that there was a need to increase public confidence in student results and qualifications, especially in English and mathematics. This need was particularly reflected in the results of a survey undertaken by the NT Board of Studies. The groups surveyed included employers, school councils, parents, students, tertiary educators and classroom teachers. On the basis of a report from its Year 10 Assessment Committee and the findings of its survey, the Board of Studies recommended that there should be system-wide external assessment in Year 10 for English and mathematics.

At this point, I should emphasise that the Board of Studies is a body which contains representatives from across the broad spectrum of our education system and beyond. Its base in education and the broader community is reflected in the depth of its membership and the list of interest groups which it represents. Among members of the Board of Studies who considered the proposed Year 10 assessment package were representatives of the Department of Education, the Isolated Children's Parents Association, the Alice Springs College of TAFE, the Aboriginal consultative group FEPI, the Council of Government School Organisations, the NT University College, the Confederation of Industry and Commerce, the Trades and Labor Council, the Catholic Education Council, the Independent Schools Parent's Association, the Darwin Institute of Technology - which had a member representing the advanced education sector and a member representing the TAFE sector - the Katherine Rural College, the Northern Territory Teachers Federation and the TAFE Advisory Council. The board is provided with support staff from the Northern Territory Department of Education.

The key to excellence is student achievement in the basics: English and mathematics, literacy and numeracy. Those without these initial stepping stones face an uphill task. For some time, sections of the community have been expressing doubt as to whether the basics of literacy and numeracy are receiving sufficient attention in our schools and whether sufficient students are achieving competence in them. Despite the views held by some teachers and academics, system-wide examinations or tests are the only means of providing hard objective data on student attainment in a manner easily understood by educators and the public alike. System-wide examinations or tests will provide our education system with 2 critical reference points. Firstly, they will provide an assessment of student performance in key curriculum areas. Secondly, they will provide a confidential form of diagnostic assessment for individual schools which will identify relative strengths and/or weaknesses in teaching and learning practices.

At the last sittings of the Legislative Assembly, I provided members with brief details of the Year 10 assessment package proposed by the Board of Studies. At that time, the process of public consultation on 'Towards the 90s' was due to end. Members would be aware that various groups and individuals, including the opposition spokesman on education, were seeking more time to submit their views. I am pleased that the extra time allowed for late comment led to the gathering of additional viewpoints, which have been taken into account during consideration of the introduction of firm policies reflecting issues raised in volumes 1 and 2 of 'Towards the 90s'. As part of this process, the government has gone to great lengths to ensure that all sections of the community have had the chance to comment on our proposal for external assessment. I might say here that I went so far as to offer the opposition spokesman on education the services of a stenographer when the member complained that he did not have the resources to put his case properly. The member for Stuart, the opposition spokesman on education, has not taken me up on that offer.

Mr Ede: Stick to the script.

Mr HARRIS: I presume that he has no further comment to make on the issue and that is why he has not taken up the offer.

Mr Ede: You are going to get it now. You were going to get it in the adjournment debate but instead you will get it now.

Mr HARRIS: Mr Deputy Speaker, this is a matter of serious concern. The member for Stuart interjects again. This government and the people of the Northern Territory are concerned that the opposition spokesman on education matters should make comment on vital issues, and I am surprised that he did not take up my offer. I hope to hear some responsible comment from the member for Stuart during the course of this debate.

The government has accepted the Board of Studies recommendations for the Year 10 assessment of English and mathematics in 1989. We will provide a balance between 2 important components and a system of reporting which will provide students with a comprehensive breakdown of their externally-assessed results.

I turn now to the 2 components of the English and mathematics assessment package. The first part will be worth 70% of the final mark. It will be derived from the existing system of externally-moderated school assessment. Under that system, standards in individual schools are assessed internally and then compared and adjusted by a panel of teachers and moderators to take into account standards in other schools.

The second part will be worth 30% of the total and will be made up of external examinations in mathematics and English. These components will be combined to provide each student with a final grade in English and mathematics using the approved A to E scale of the Senior Secondary Assessment Board of South Australia. This grade will appear on each student's Junior Secondary Studies Certificate, commonly known as the JSSC.

I will now describe the important details of the government's package of external examinations in English and mathematics. In English, 2 papers will be set and marked externally. Paper 1 will test the student's ability to write in any prose form on a given topic within a set time. Criteria for assessment will be: quality of ideas; control of the chosen form; and the conventions of expression, spelling, punctuation and handwriting. Paper 2 will test a student's ability to comprehend the ideas in the texts which he has studied during the year, both literary and non-literary, and will require him to demonstrate his own appreciation of these ideas. Criteria for assessment will be: knowledge and understanding of a range of texts; the student's ability to make comparisons between different texts; and his ability to express his appreciation of the ideas covered in the texts in clear, well-structured prose.

All English papers will be centrally marked by a panel comprising teachers from all regions, the assistant moderator and the principal education officer for English. Completed scripts will be identified by number and placed in random order to ensure confidentiality. They will be distributed for double blind marking; that is, marking by 2 members of the panel neither of whom knows the mark allocated by the other, and discrepancies will be resolved by a chief examiner.

In mathematics, an external examination paper will be set for each of the 3 levels of difficulty at which students can study mathematics in Year 10, levels 1, 2 and 3. Students will sit for the paper at the level at which they are studying and the level at which their student assessment files are externally moderated. The external examination paper will be approximately 1½ hours in duration and will comprise multiple-choice questions and mathematical problems involving more complex calculations.

Student papers, identified by number and placed in random order, will be distributed to members of a panel comprising teachers from all regions, the assistant moderator and the principal education officer in mathematics. In mathematics, each paper will be marked by 1 member of the panel, but papers will be subject to further scrutiny from the chief examiner who will randomly select and re-mark 1 in every 20 papers. The external examination component will comprise 30% of the student's total achievement in mathematics.

The JSS Certificate is an important milestone in the education of our children. It is vital that it present a student, parent and prospective employer with a comprehensive record of progress which has the stamp of utmost credibility. With the introduction of external examinations, our JSSC will gain added credibility as a comprehensive assessment of student progress. Students, parents and the wider community will know that, within the task assigned each student, a common core of important knowledge in mathematics and English has been rigorously tested and assessed. The introduction of this new package will provide a basis on which to build confidence in the Northern Territory education system. In time, it is possible that, based on community confidence and feedback, our systems of external assessment will be extended to other subjects - for example, science. Another possibility is that, depending on the community's response, the 70:30 balance suggested by the Board of Studies and adopted by the government may be adjusted.

The JSSC is an important yardstick for those working within the education system and for those relying on it. I believe parents and students themselves have a right to scrutinise fully the way in which results entered on the JSSC were compiled. To this end, the Board of Studies will make available to schools the results achieved by students in the external examinations. I will ask schools, with the permission of their school councils, to distribute these marks to students. Nevertheless, I will repeat my view that students have an undeniable right of access to their marks. Although I would prefer to see every school distribute marks to each student, there will be a guarantee of access. Students who write to the Board of Studies will receive a full statement of their external examination results.

During consultation and discussions with the teaching profession over this issue, much concern was expressed about the possibility of individual secondary school Year 10 assessment results being made public and unfair comparisons being made between schools and their respective staff. Results assessing the overall performance of students across the Territory will be released to the public but be assured, Mr Deputy Speaker, that there is no intention of publicly comparing the performance of individual schools. One of the principle aims of the Year 10 assessment package is to provide schools with a confidential diagnostic assessment which will indicate the performance of their students in English and mathematics. Schools will benefit by evaluating their results and comparing their school performance to that of the Territory as a whole.

I would like all honourable members to get behind this initiative. There has been a great deal of comment and questions have been raised throughout Australia about the quality of our education systems. Already in the Northern Territory, we have external assessment at Years 5, 7 and 12. I am sure that this initiative will greatly enhance the credibility of school leavers' skills in literacy and numeracy and thereby improve their employment prospects.

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

Mr EDE (Stuart): Mr Speaker, the opposition categorically rejects the statement and the principles underlying it. In the course of the next 30 minutes, firstly, I will destroy the minister's argument by demolishing the basis upon which it is built, and then I will expose the minister's lack of knowledge of the subject he is dealing with. Certainly, if he has not acted from a lack of knowledge, he has culpably attempted to mislead the parliament. Following that, I will detail the opposition's proposal in this area which, as I am sure honourable members will agree by the time I have finished, is designed to solve the problem rather than to make a simplistic attempt to cover up the real issues.

In developing his argument, the minister has said, basically, that the experts have developed the ideas and brought them forward to him and he is simply bringing them to the parliament for implementation. That is not true. Either the minister has misinterpreted what his experts have told him, or he is attempting to mislead us and, Mr Speaker, I will tell you what the experts actually told the minister. First of all, the minister said that 'system-wide examinations or tests are the only means of providing hard objective data on student attainment'. Let us see what the experts really said, beginning with the report of the Year 10 Assessment Committee, which did not recommend external system-wide examinations. I have the text of motions passed by the Board of Studies but I will begin with the committee's statement on the findings of its working party. As the minister knows, that statement said: 'Following general discussion of the working party's views on a number of issues, the standing committee resolved to reject the notion of external examinations using a traditional model and to express recognition of the value of moderation as an assessment tool'. Basically, external examinations were rejected. In its recommendations, the working party expressed the view that there should be no return ...

Mr SETTER: A point of order, Mr Speaker! I would request that the honourable member table the document from which he is quoting.

Mr SPEAKER: The honourable member can do so at the conclusion of his speech. There is no point of order.

Mr EDE: Mr Speaker, I have no problem in relation to the tabling of this document. However, I would have thought that, as an interested member of this parliament, the member for Jingili would have asked the minister for this background documentation. Indeed, I would have thought that the minister would have tabled this documentation. The fact that he did not table this information from the experts makes me extremely suspicious.

The working party expressed the view that 'there should be no return to the model of external examinations requiring students to undertake lengthy formal papers at a specified date and time'. This view was accepted and endorsed by the Year 10 Assessment Committee. The matter was then considered by the Board of Studies. A survey was conducted and, given that the minister talks about widespread requests for external examination, its results were very strange. Honourable members opposite, who may have no interest in education beyond the next election and whose information comes only from a few individuals, may intend voting on the basis that they think external examinations are popular. If that is so, they might like to know that the results of this survey - a survey which was generally considered to be flawed because it was biased in favour of external examinations - indicated that 70% of respondents opposed formal external examinations and only 11% were in favour.

Mr Collins interjecting.

Mr EDE: The member for Sadadeen asks who carried out the survey. I am told that it was the responsibility of a section of the Department of Education.

If honourable members wish to continue with their stance that this move is popular out there and that people want this ...

Mr Collins: It will be when we have tried it.

Mr EDE: It has been tried. It was tried throughout the last century and it was generally abandoned, and for a very good reason.

Mr Collins interjecting.

Mr EDE: The member for Sadadeen will have his chance to have a say in this debate, if it is not gagged by members opposite. It is unfortunate for him but fortunate for the rest of us that, as an independent, he will never have the chance to make any impact on the actual development of policy. He will, however, have his chance to prattle on and he should await that opportunity, as should the Minister for Transport and Works.

Mr Finch: If you sit down, we will both get up.

Mr EDE: Mr Speaker, it is rather difficult. The Minister for Education asked me to stand up and speak and the Minister for Transport and Works has asked me to sit down. It is quite obvious that, after 7 minutes, they have decided that I have already destroyed the honourable minister's argument. They now ask me to sit down and stop filling in the hole.

On the basis of a report from the Year 10 Assessment Committee and the findings of its survey, the minister stated that the Board of Studies recommended that 'there should be system-wide external assessment in Year 10 for English and mathematics'. As I said, the fact is that the findings of the Year 10 Assessment Committee were not what the minister stated they were.

Let us come to what the Board of Studies stated. This is where I will demonstrate that the minister does not know the difference between assessment and examination. He made that clear in statements which he made during the weekend. However, in this instance, he has dug himself a hole which I shall now proceed to fill in. Let us look at what the Board of Studies actually stated:

The Northern Territory Board of Studies adopts some form of system-wide external assessment in Year 10 which includes common instruments of assessment in English and mathematics.

Common instruments of assessment may include such things as moderated samples of work, tests, end-point measures, prose under supervision etc.

That is what the Board of Studies recommended. There are some very good arguments, which we support, for the development of an item bank which will allow various checks to be made during the year to determine the progress of students. However, that is not what the honourable minister is proposing: an externally set examination.

If the honourable minister does not know what the components of an external examination are, I will tell him. It is set externally. It is the same for every student, is conducted at the same time and is marked externally. That is what external examinations are. That is what the honourable minister is proposing and that is not what was recommended by the Year 10 Assessment Committee or the Board of Studies. If the honourable minister, with his great expertise in professional development in the field of education and the years of study that he undertook in this area, wishes to set up his own system, his back-to-the-1890s model, he should make sure that he comprehends it in his own head. However, he has attempted to tell us that he is following the recommendations of the Year 10 Assessment Committee and the Board of Studies. Quite clearly and categorically, he is not.

Mr Perron: Who is running the government?

Mr EDE: The minister is running the government. He has dug himself the hole and he should not try and quibble and squib out of it by saying that he is doing this because the Board of Studies told him to do so. He should have the guts to say that he is opting for external examinations and on his own head be it. He should not blame other groups and say that they recommended it.

Mr COULTER: A point of order, Mr Speaker! The honourable member is using language that is unacceptable to this House and he should be asked to withdraw it.

Mr SPEAKER: There is a point of order. I ask the honourable member for Stuart to withdraw that reference.

Mr EDE: Mr Speaker, I withdraw any reference to the honourable minister.

If my emotions in respect of this issue cause me to become a little carried away, I apologise. It is desperately important that we get this right. It is not a matter of opting for some simplistic solution and, in future years, regretting that that was the road that we went down. Education is our most fundamental investment in the future of the Territory. It can provide the very best of returns in terms of the development of the Territory. It should not be reduced to some lowest common denominator which is the limit of the honourable minister's ability to understand the system.

The minister says at page 5 that the government 'has accepted the Board of Studies recommendation for the Year 10 assessment of English and mathematics in 1989'. At page 6, he says that 'the second part will be worth 30% of the total and will be made up of external examinations in mathematics and English'. The 2 are not compatible. They are completely different processes and that illustrates the internal inconsistency in the minister's statement. He has not accepted the Board of Studies' recommendations.

I will explain the opposition's proposal to honourable members. When we look at the needs of students, the needs of the system and the needs of employers, it is clear that it is not appropriate simply to make an assessment at a single point in the student's development and pretend that that represents all things to all people. It does not.

We would all agree that the needs of the student are paramount and we should therefore look at those needs first. What would we attempt to do if, in fact, the system was looking at the needs of the student? Why would we attempt to include an end-point external examination which is designed to

restrict the system to teaching to exams rather than developing the student's ability? What would the minister be doing if he were serious about this? He would look at the tests at the start of the year which are designed to identify the gaps in the student's knowledge at that stage, as they relate to a system-wide standard. That is where external moderation comes in. What is needed is an item bank of points which a student should be achieving over the years of his or her education. At the beginning of every year, the item bank could be used to check the student's progress so that, during the ensuing year, the teacher would be able to fill the gaps in the student's knowledge and proceed to further develop the student's skills towards the standard appropriate at the end of the year. Much more work needs to be done on the development of a system of data on individual students so that, as they move around the Territory or even interstate, it is possible to assess the development of their individual skills and knowledge.

Mr Collins: Uniformity in the item banks?

Mr EDE: Of course we can get uniformity in the item banks.

Such a system would be designed to address the needs of the students and their movement towards continuing education. Of course, taxpayers, parliamentarians and other people in the community have a right to know whether the system is actually working, whether it is getting better or whether it is not. That need is not met by plugging in an external examination at the end of Year 10 and saying that it will solve the problem. It will not. What we require is representative sampling throughout the school system, in various years, which is designed to provide a set of year-by-year ratios which will provide us with the ability to determine whether standards are rising or falling in relation to a factor of, say, 100. Basically, that is what we need to know. We need to know whether overall standards are getting better or worse and that can be achieved by a statistical sampling of the students.

Let us have a look at what the parents want to know about their children. Of course parents want to know how their children are progressing. The parents I have spoken with want to know how their children are progressing at any given stage and where there are gaps in their knowledge. What is the point of coming in at the end of Year 10 to determine that? As I said before, we should be seeking information at the start of each year so that parents can know what standards their children have reached at that stage and what they can expect them to achieve during that year. If they do not achieve at the expected level, any shortcomings will be picked up and rectified as the student moves forward, year by year, through to Year 12.

The argument that some externally-established examination at the end of Year 10 will solve either of those problems is just not valid, as has been proven time and time again. It controls the system, develops a simple teaching-for-tests mentality amongst the teachers and ...

Mr Collins: If you teach the subject, the rest falls into line.

Mr Harris: Oh, Brian! That is pathetic, mate.

Mr EDE: Mr Speaker, the minister has not produced a single iota of professional opinion which will back up any of his statements. He simply states that he somehow knows these things. If he wishes to race back to the 1890s, so be it, but he should not be allowed to take our education system with him.

Mr Harris: You mentioned the 1890s. I can tell you some interesting things about teachers in the 1890s.

Mr EDE: Mr Speaker, let us have a look at the needs of employers. The minister has spoken about their needs on previous occasions and possibly employers are the sole group which the minister has been able to find which supports some form of external examination. However, when I talk to businessmen about their needs and ask them exactly what they want, they do not answer in the terms described by the minister. Employers want to know whether young people have the skills that will enable them to seek out the information which will enable them to operate effectively in the workplace and whether they can fit into an organisational structure and develop within it. That is what employers want to know. It is absolute rubbish to say that that information is provided by a grade obtained on the basis of performance in an examination - such as a B in English and an A in mathematics.

Studies conducted in Victoria have shown that, even at Year 12 level, there is no correlation between student performance in external examinations and in other activities. The studies show that there is not even any correlation between performance in Year 12 examinations and progress in the first year of university. If there is no correlation in terms of academic standards as assessed by Year 12 examinations and as assessed in the university, one would hardly expect there to be any correlation between examination performance and performance in the workplace.

The community did not support the introduction of external examinations, as was stated by the minister. In fact, 71% of respondents to the survey rejected the system as proposed by the minister and only 1% were for it. The Board of Studies did not support the introduction of external examinations. In fact, it devised and recommended a system of external assessment which would have meant the development of various item banks so that students could be tested throughout the year on their progress in developing the skills appropriate to their year level.

Mr Speaker, the Council of Government School Organisations does not support the introduction of external examinations and has made that extremely clear. Professional associations such as the Mathematics Teachers Association of the Northern Territory and the Northern Territory Teachers Federation do not support the introduction of external examinations. Indeed, it sometimes seems to me that the mere fact of the Teachers Federation's opposition is the reason why the minister supports it. Surely, when the experts in the day-to-day practicalities are rejecting a proposed course of action, that might make the minister pause. Instead, he is plunging ahead to implement a system which is discredited and which has been proven not to produce the results which we are looking for.

The minister has proven that he does not understand the difference between external assessment and external examination. He claimed that he was following the recommendations of the Board of Studies and then proceeded to describe a system which that board, together with the Year 10 Assessment Committee, rejected. The minister has neglected the most basic point of all, which is that the aim of Year 10 assessment should be to focus on the student. It should aim to give a statement of the student's skills and abilities, strengths and weaknesses. Even if one believed, as members opposite obviously do, that Year 10 is the end of students' education after which they are pushed into the work force, external examinations would not achieve that aim. If one believes that Year 10 is simply a stage in a student's development towards Years 11 and 12 and tertiary education, there is absolutely no reason to

implement at Year 10 a proposal such as that which the minister has put forward.

I hope that, in his reply to debate on this statement, the minister will do what he has not done as yet. He has not explained what he hopes this model will achieve educationally. He has not told us who he hopes to placate by implementing it and he certainly has not explained what he believes it will do for the benefit of students. Until such time as he can really address those issues, he stands condemned by this side of the parliament for failing to take account of the expert advice that was made available to him, firstly by the Year 10 Assessment Committee and then by the Board of Studies - the groups upon whose advice he has continually claimed to be waiting during the last couple of years. He has categorically rejected their advice and has proceeded with a harebrained proposal of his own. The people of the Northern Territory will reject this model. They will reject it for the simple reason that it means nothing, it came from nowhere and, unfortunately, it will take Year 10 students nowhere.

Mr HATTON (Nightcliff): Mr Speaker, I rise to support the statement from the Minister for Education in respect of the Year 10 assessment in English and mathematics. My only concern is that I do not believe that the Department of Education is going far enough.

We heard an unbelievable 40 minutes of absolute waffle from the opposition spokesman on education. We heard all the tired old nonsense that led to the virtual destruction of effective education in the 1970s by these trendy left-wing educational theorists who decided we could not put pressure on a child to perform. We could not test students; we had to let them develop in their own way. Some of the theories which have resulted from that sort of mentality are absolutely frightening. One finds that the teaching role is not one of checking if the child can read properly, spell properly, add, subtract, multiply or divide properly. One exposes students to information and, through some marvellous process of osmosis, they absorb the knowledge over time. When listening to a child reading, the teacher does not correct the child for mispronunciation or misreading if the general sense is there. That is in line with the views put forward by the member for Stuart.

Mr Ede: What a load of rubbish. Clean your ears out.

Mr HATTON: I took the trouble to write some notes on the points the honourable member made because I was curious to find out what the opposition would say. I must have hit a nerve, Mr Speaker, because I can hear the member for Stuart sounding off already. I had thought it would take at least 10 minutes to get him going.

The basis of the honourable member's argument against any form of external examination is that it will develop a 'teaching for tests' mentality. Rather than seeking to educate the child, the teachers will attempt to guess what external examiners will put in the exam paper. I do not believe that reflects the attitude or approach of teachers in the Northern Territory Teaching Service. I do not believe that they will adopt that approach. I certainly do not believe that matriculation teachers adopt that approach when they are preparing students to sit for external matriculation exams. They do not teach for exams only. They teach the subjects, and they blend in right across the board. I think that argument is spurious. I have heard the argument many times but I have never heard any evidence given to support it. It is merely an assertion. If members opposite believe that teachers do that, I challenge them to produce evidence that, at the moment, matriculation teachers in the

Northern Territory are merely teaching our students to pass examinations and not educating them to the standard required for matriculation. Such evidence cannot be produced because our teachers are not doing that.

In the matriculation area, the external examination represents 50% of the marks. Some honourable members might be surprised to find that it is only 50%, and I know there are some serious concerns within educational institutions about the low position that the final, external examination takes in the assessments. I know that the South Australian authorities are in conflict with the universities over the fact that there is a 50% internal assessment outside the examination process. The universities are concerned about that and it is a source of conflict between them and the assessment board. As an aside, I note with some dismay that the South Australian authorities now hold copyright on the examination results, which means that individual schools are not allowed to publish the results of their own students to show how well they are going. In fact, the students can advise the South Australian board that they do not want the school to know and the school cannot find out how its students performed. That is a fact which stunned me when I discovered it recently. I find that terrible and it is a matter that we should really look into. It is the best incentive I have come across for us to move towards developing our own Northern Territory matriculation approach. To be dragged along with the socialist mumbo-jumbo which seems to prevail in South Australia is a matter of serious concern to me.

Let us now examine what the member for Stuart put forward. I took some notes. He said that the effect of external examinations will be to force the system to concentrate on teaching to exams. I have already dealt with that point. If it were true, the approach to teaching in the matriculation year would bear it out. Of course, it does not.

Members of the opposition suggest that we should test to identify gaps at the start of the year. Of course, this makes the assumption that we do not do that. The member for Stuart seems to assume that, under the new system, no assessment will occur until students reach the end of Year 10 when, suddenly, they will sit for an examination which will magically determine what they have learned during their previous 10 or 11 years of schooling. Of course, that is nonsense and we all know it. We all know that school reports refer to internal assessment and testing which is carried out throughout the school year. Standards are assessed against core curriculum. Parents are advised of their children's progress with the recommended curriculum and school-based curriculum and the additional work which they perform. Indeed, it is pleasing to note from my own experience that some schools and some teachers go to the trouble of providing 2 or 3 pages of explanation of exactly how students are performing, what standards they have reached, and what they need to do to achieve the necessary results. Some excellent work is being done in schools now in relation to ongoing assessment against recommended and school-based curricula.

Society is saying, however, that it is reasonable to ask, at certain key points during the education process, exactly how students are progressing in terms of an across-the-board assessment of the system and that it is appropriate to use externally-based examinations as part of that assessment. Under the scheme outlined by the minister, only 30% of the assessment will be based on examination results. Examination results will not comprise the total assessment, which is what the member for Stuart would have us believe, but they will certainly be a valid component.

I believe that there are 3 key points for assessing students: the first is at the completion of primary education; the second is at the completion of compulsory education, which is basically at the end of Year 10; and the third is at the completion of schooling, which is ideally the end of Year 12, when assessment is carried out both through matriculation and the non-matriculation SSABSA certificates.

Mr Speaker, I must say clearly that I do not believe that our children need protection from the pressure of competition or the pressure of performance. In fact, I think children thrive on that. Educationalists and left-wing theorists carry on about how you cannot lift one child above the standard of another and you cannot embarrass somebody who is not performing as well as somebody else. But let us look at what kids do in other spheres of life. All kids who take part in competitive athletics or swimming are able to say exactly how they are performing and how they rate in their event. Kids who play junior cricket can tell you exactly what their batting and bowling averages are and how many catches they have taken in comparison with everybody else in their team and, quite possibly, everyone in the competition. Kids compete all the time. Kids compare their performances informally in sport and in other aspects of their lives but the theorists argue that they cannot handle it when it comes to education.

I do not accept that. I think that kids like the competition. They like to know where they stand and whether they are doing well or poorly. I can assure members that parents would certainly like to know how their children are performing as soon as possible because, the earlier they know, the earlier they will be able to take action if they think their children need some additional assistance. I find nothing wrong with that at all. I do not accept that we should mollycoddle and protect children from a fundamental aspect of life and one which they recognise every day in all aspects of their recreational, sporting and social life. Competition should equally play a role in their educational life. That is part of preparing children for life, just as the acquisition of social values prepares them for life. There is nothing wrong with it and I stand to support it strongly.

The opposition argues that we will turn the clock back to the last century. It is more a question of turning it back to the attitudes which prevailed prior to the 1970s, when the pursuit of excellence was regarded as something positive, in contrast to the left-wing nonsense of the 1970s, which reduced everybody to the lowest common denominator. I believe that the pursuit of excellence and the pursuit of success are valuable attributes of society and most people agree with that view.

Mr Smith: Tell us what this has to do with the pursuit of excellence.

Mr Ede: Come on, link the 2 together.

Mr HATTON: I have been challenged to relate the role of examinations to the pursuit of excellence. One thing that I will say is that, if there is no assessment of how a person is performing, that removes any incentive for that person to achieve. That is what the opposition is promoting.

Mr Ede: We are not.

Mr HATTON: Mr Speaker, they are promoting the removal of competition. It is the same nonsense that the Leader of the Opposition promoted in the 1970s when he represented the teachers in the system. That nonsense has done untold damage to the educational system. It is about time we started getting rid of

some of that nonsense and getting down to the facts of life. We want children to be educated, we want to know how they are performing and we want educational institutions to be accountable to the community for what they teach and the end result of their work. External examinations are part of the process of assessing that.

I recognise and support the view that one cannot make a judgment purely on the basis of a single examination conducted at a particular time. Internal assessment and a whole range of elements and processes needs to be taken into account. However, external examination has a valid and important role to play. It should not be thrown out on the basis of crazy theoretical nonsense. The problem with the opposition's argument is that it is trying to say that all we are talking about is examinations. Of course it is not. The opposition says that there should be no external examination, and that is wrong. My personal view is that we are undervaluing the role of examinations. Members opposite need to start thinking about preparing their children for the exams that they will face in Year 12 and at universities and colleges of advanced education. They will have to face examinations. It would be good for them to have had some experience in doing so.

Mr Ede: We have the second-lowest attendance rate in Australia.

Mr HATTON: Mr Speaker, I am not going to respond to the nonsense the member for Stuart quotes. He has spent 5 years in this Chamber, as I have myself, and he has spent those 5 years selectively misquoting statistics to confuse the public. I will not participate in his game.

The member for Stuart has described a process of assessment which the opposition would use. He said: 'We would test students at the beginning of the year for gaps in their knowledge. We would develop an item bank of points over the years and we would use these as the basis for assessing students and assisting them to fill in the gaps and in their general progress'. I made the point earlier that what the member for Stuart is referring to is a form of vertical timetabling, similar to that being used in some schools. The use of that is spreading and there is some real value in it; there is no question about that. I have no doubt that he has been speaking to his colleagues in the Teachers Federation who work at Sanderson High School and other places which have vertical timetabling. What he is describing sounds very similar to what is currently in operation at those locations. It is a good system and I am not suggesting otherwise. Speaking as a layman, I believe that its conceptual approach contains a great deal of merit. It does not, however, preclude students being assessed by means of an external examination at the end of Year 10. It is simply a case of saying to students: 'Okay, you have done a lot. Are you ready to go on? Have you achieved the standards?' We need an across-the-board assessment of the standards at that particular point in time.

The system put forward by the member for Stuart does not exclude the possibility of external examinations. He is merely repeating what he has heard about an alternative system which operates in some places. He ignores the fact that we have assessments already against core and recommended curricula. He excludes consideration of the forms of internal assessment which already exist. He excludes everything that is happening in education and puts forward an idea as if that shows in itself that examinations should not be used.

Frankly, external examinations give us an additional across-the-board test of our educational system. Nor do I think it undesirable that they be used as

a vehicle for determining how well our teachers are performing: rather than assessing themselves, they are assessed by somebody outside. External examinations also provide a means of assessment which can be used by parents and employers who, at the end of the day, create the future for young people by providing them with job opportunities. They are, to put it crudely, the purchasers of the end product, and external examinations enable them to make some assessment of what is coming.

It is not a simple matter. I do not know which employer the member for Stuart spoke to, but I can tell you, Mr Speaker, that when they are employing young people freshly out of the education system, they want those young people to be able to read, write, spell, add, subtract and do basic mathematics. There are important skills beyond those, including fitting into the corporate structure and so on, but if kids are innumerate or illiterate, they have real problems in the workplace. Mathematics and English are the 2 key areas in the eyes of employers and they should not be ignored.

Mr COLLINS (Sadadeen): Mr Speaker, having listened to the member for Stuart, I am quite convinced that education is definitely in the hands of the producer and not in the hands of the consumer. I have spoken in this vein in this Assembly on other occasions, and I firmly believe that the best way to solve the malaise in education and to address the concerns of employers, parents and even students would be to create a situation in which the consumers of the service have some real say. Those consumers include students and parents, who are keenly interested in the progress of their children. External examinations offer them some really good information about the way their kids are being taught and how well they are being taught.

I am horrified to think that the results of external examinations may well be hidden. That should not happen. The results are public information and should be available to all parents and the whole community. Not only should the information be available but I believe it should be mandatory that the results be passed out. Why should parents not know if the school which their children are attending is not performing in comparison to other schools? I believe that all parents should have clear information about the performance of each school in their locality. That information gives them the opportunity, if they wish to avail themselves of it, to move their students to a school which is doing better. I am horrified at the thought that such information, at least in general terms, can be withheld. Obviously, the results must be available to the student, and I believe they should also be available to the parent. In addition, the overall results of the school should be available publicly.

We always hear about it if a school has students who do very well. We heard, for example, of the excellent matriculation results obtained by young Sam Latz of Sadadeen Secondary College. He received a great deal of well-deserved praise and publicity, and congratulations are certainly due to him. In addition to publicising the successes, however, the overall results of schools should be available to the public so that people who fund education through their taxes have the information they need in making decisions about their children's education. I believe that it is a matter of fundamental importance that information not be hidden away or swept under the carpet. In fact, I believe that, if information about the overall performance of schools were available, the whole community might be in uproar. During the last week, I spoke with a gentleman in charge of mathematics in a Darwin school. He told me that, in his school, in all the various levels of mathematics under SSABSA and the PEB equivalent, the exam results are never better than a 40% pass rate, and often far lower. I believe that people would really jump up and

down if that information was publicly available. Of course, it is much easier if those things are hidden and that information is not released.

It is rather like the criminal system. If people do not know what sentences are being handed down to people convicted of crimes, they may not get upset. If, for example, the community knew that people convicted of killing other people are receiving very short jail sentences and that, frequently, the periods they spend in jail are much shorter than their sentences, there would be uproar. We have to face that. Our crime rate is far too high. It is the worst in Australia and we have to do something. We cannot just hide the truth about the situation.

There are many things which I would like to say about the member for Stuart's contribution to this debate. I am interested in his idea of an item bank which could be used to test students at any time which the teacher thought appropriate. He denigrated the idea of an external exam which all students would sit for simultaneously. How very odd! Doesn't he realise that the purpose of that is to stop kids from cheating? The item bank reminds me of my experience when so-called 'individual science' was introduced into the school I taught in. The only thing wrong with it was that the students always worked in pairs. They experimented in pairs and did their reports together and both were always identical, with the brightest kid in the world and the dumbest kid in the world appearing to perform at the same level. The same sort of nonsensical situation would result from the item bank. The performance of students can be made to look good by telling them what the questions are about. That is a nonsensical approach.

I now turn to the subject of testing at the start of the year. Every teacher worth his salt tests his new class at the start of the year but, if tests were conducted at the end of the preceding year, the students who were not coping and who were failing - if I dare use that terrible term - would be left behind, rather than continuing into the next level to drag the standard down. When kids who are not coping are included in the same class as kids who can cope, it is invariably the latter who suffer in the long run. I believe that it is far kinder to students who are not coping if they are made to stay back for a year so that they can catch up. That practice worked very well in my experience. In fact, few students in the primary years and the early years of high school actually failed.

There was pressure to perform and the same pressure applied to the teachers. I believe that, although unstated, one of the real reasons underlying the phobia about examinations is because they do not test only the student. They test teachers also. Unfortunately, the current situation is that the only external examinations which our students sit for are those related to matriculation. Internal examinations are always open to abuse. I can recall, in a school in which I taught, students telling me that another teacher had said to them when they expressed their fears about an approaching examination: 'Don't worry. You are all going to pass because I want to look good'. How professional! External examinations are not subject to manipulation. They provide a yardstick. Whatever school one attends, be it public or private, with a terrific reputation or a terrible reputation, a good performance in an external examination cannot be disputed. It is on the record.

The member for Stuart argued that one consequence of external examinations is that teachers simply teach for the examination. I have heard that argument many times. There is only one way to teach for an examination and that is to teach the course thoroughly. A teacher can certainly spend some time

analysing examination papers and giving students tips on how to tackle them. That is very useful. I do not think anybody would like to fly in an aeroplane whose pilot had not passed his examinations. There are very stringent examinations in that particular industry to ensure the safety of all concerned. Examinations have a great deal going for them.

One of the weaknesses in the education system these days is that a student is taught a unit of work and is tested during and after it is taught. The student may do well but subsequently forget the material covered. When I was a student and a teacher, students were examined at the end of each of 3 terms during the year. In addition, tests were given throughout the year and the student mark for the term was a combination of the marks for the individual tests and the marks for the examination at the end of the term. Basically, the ratio was 50:50. At the end of the second term, you were tested on 2 terms' work and, in the third term, one had to revise the whole year's work. That gave a total picture of the year's work. The weakness in the present system is that the individual unit is assessed but is then forgotten and, as a result, education standards fall.

In many ways, I am pleased that the minister has taken this step. I do not think he has gone far enough. I do not believe that it is sufficient to base 30% of the final assessment on performance in an external examination in English and mathematics. From talking to students and from my own children's experiences at schools in Alice Springs, I believe that, since we have had the senior secondary high school system, there does not seem to have been any real motivation to bring students in the junior high schools up to scratch. As far as I am concerned, they are not realising their full potential. I believe the students are failing because there is no pressure on them to perform. The idea being bandied around at Sadadeen Secondary College is that 3 years will be required in the secondary college before the kids get to matriculation. My daughter failed her matric the first time. She went back to school to repeat it and that was not easy for her. She passed it on that occasion and has gone on to Flinders University. I feel that the students have been let down.

Because the pressure had not been applied in the earlier years of her education, my daughter found it extremely difficult. I believe she could have handled maths 1 and 2 if she had had the background and if the pressure had been put on her. She went to Flinders University yesterday. She wants to study physics and chemistry. She was told, however, that her maths 1S is not sufficient to qualify her to do maths 1 at Flinders. If she does not do maths 1, she cannot do physics 2. She is hamstrung. She can undertake some studies in biology and, fortunately, she has an interest in some subjects in that area.

In our education system, we have gone from what many criticised as a very narrow range of subjects in the secondary schools in the 1950s and 1960s to a very broad range of subjects - a smorgasboard. I believe that we have changed a champagne glass for a beer bottle. With the champagne glass, a reasonably broad education was offered at the primary level. Because there were examinations every term in every year, the teachers could assess the students' progress and give extra assistance to the weaker students. There was a broad base and, by the time the students progressed to high school, one expected that they could read and write reasonably fluently. They then progressed to the stem of the champagne glass: a fairly narrow range of subjects which were taught in depth and followed through from one year to the next. The student progressed through 5 years and received a good academic grounding. The students had to work hard and the most important aspect was that they learned how to learn.

Once that was accomplished, one proceeded to the tertiary level, at which stage the champagne glass opened out. The world was one's oyster and, from a narrow base of deep education, the range of choices became very large. Nowadays, the model for the education system would be a beer bottle. We have a wide range of courses at secondary level: 6 months of this, 6 months of that, 6 months of something else, a little smattering of this, that and the other. When one reaches the top of the beer bottle, however, the choices suddenly narrow. They have narrowed for my daughter and they are narrowing for my son. Okay, he tends to be a bit on the lazy side but I know that he has the ability to do maths 1 and maths 2. Instead, he has opted out and will do maths 1S. He wants to go on to university next year and he will find that his decision will narrow his range of choices.

The decision to introduce external examinations is a step in the right direction although I do not believe it goes far enough. Of course, teachers are not madly keen on the idea because examination results reflect on them. That can be unfair if there are not exams all the way down the line. No one enjoys facing an examination. I am sure that none of us really enjoys elections. They are gut-stretching times. It is fine if one wins but not so good if one loses, although I have not yet had that experience.

Mr Smith: How did you feel when you lost preselection?

Mr COLLINS: That was a win. I put myself before the people and they made their selection, bless their hearts. I will be forever grateful to them.

Mr Speaker, I am sure that you get the general drift of my feelings on this matter. It is a step in the right direction. I do not believe that the minister needs to go bandying the issues around with the people. Students would rather not have exams but they will be a darn sight better off with them. They do a lot of living after school - as adults. As far as I am concerned, external examinations put the razor finish on their education and make them perform in a way that they will never regret in later life.

Mr SMITH (Opposition Leader): Mr Speaker, education is an issue on which everybody considers him or herself an expert and I suppose that is one of the burdens teachers have to bear. There is not necessarily anything wrong with that because, clearly, education is one of the most important forces and powers for good which most people come across in their lives. People take a very personal interest in education, both their own education and their children's education, and therefore it is not surprising that people tend to get quite emotional about educational matters and to have strong views about them.

The basic starting point in this debate is to recognise at least that we live in the most literate and numerate society that the world has seen. There is no doubt that, during the last 30 to 40 years, the levels of literacy and numeracy have been rising. That may not have been occurring as quickly as many people would like but, certainly, all the tests indicate that there has been a slow and steady rise in literacy and numeracy. If we contrast the current situation with that which existed 100 to 150 years ago, it is clear that the rise in literacy and numeracy has been quite dramatic. There is no doubt about that. More and more of our kids can read and write. If we forget that, we do ourselves a disservice, particularly in the context of a debate like this.

Mr Speaker, to a large degree this debate is about cosmetics. The Minister for Education is saying: 'Let us provide the outsiders, the

employers and so forth, with a system which makes them happy. It does not matter whether that system brings any benefit to the kids or whether it will make more kids literate and numerate'. I am the first to admit that there are kids out there who are illiterate and innumerate, kids who get through the school system without learning the basic skills. That is an indictment of the school system. We should have a school system in which people do not slip through that literacy and numeracy net. Unfortunately, we do not yet have that system.

I thought the key sentence in the minister's speech was the very last one. Speaking of the decision to implement external examinations at Year 10, he said: 'I am sure this initiative will greatly enhance the credibility of our school leavers' skills in literacy and numeracy and thereby improve their employment prospects'. The key words are: 'will greatly enhance the credibility of our school leavers' skills in literacy and numeracy'. The honourable minister is talking about setting in place a system which will improve levels of literacy or numeracy. However, he is not talking about that at all. He is talking about the credibility that the results will have in the community. In other words, he is saying that we need to put in place a system that is acceptable to people in the community. Let us not confuse that with improving literacy and numeracy because they are 2 different issues. That is where I have a problem with the minister's statement.

There are 2 related matters. Quite clearly, we need to have a system which satisfies the potential consumers of the education system, particularly the employers. Secondly, we need to have in place a system which guarantees that as many students as possible will acquire basic literacy and numeracy. This paper addresses the first aspect but not the second. Nowhere has an argument been advanced to suggest that implementing an external assessment system will lead to an improvement in literacy and numeracy. The minister certainly did not attempt to argue that in his statement. In fact, in the very last sentence of his statement, the minister gave an illustration of the point I am making. He talked about credibility rather than improvement in literacy and numeracy. That is where I have a major problem with external assessment.

Let us not forget that, by talking about external assessments, we are essentially reinventing the wheel. Like everything else, education theory is basically cyclical. What is in favour this year is not in favour next year and what is in favour this decade is not in favour in the next decade. We are going back ...

Mr Collins: Forward.

Mr SMITH: ... or forward, if you like, Mr Speaker, to a system which is not unlike that which most of us were educated in. However, we cannot argue that we are better educated than the students coming out of schools today. That just does not wash. The minister has missed that key point. This argument is not about improving literacy and numeracy. It is not about picking up the students who fall through the net. It is about putting in place a system that will provide satisfaction to people outside the schools when they come to judge the result of the schools. That may be a desirable objective in itself but it is not as important an objective as meeting the very real needs of those kids who are not acquiring sufficient skills in literacy and numeracy.

I would have been much happier with this statement if it had not been put forward as an end in itself. It could have been put forward as part of an

overall package to address concerns in the community in relation to literacy and numeracy. Despite the fact that we are the most highly literate and numerate society that has ever existed, many people still have concerns about the products of our school system. We cannot hide that and we should not.

In my early years as a member of parliament, I attended a meeting of an apprenticeship board to listen to some school students undergo an apprenticeship interview. It was quite appalling. Some students, having completed Year 10, could not read and write at a sufficient standard to meet apprenticeship entry requirements. The measures proposed by the minister do not address that problem at all. The external assessment system might well identify more precisely those people who cannot read and write. However, what is the solution for these kids who cannot read and write and who are not obtaining adequate assistance at present? Where are the extra resources? Where is the commitment, to use the member for Sadadeen's words, to the kids who fail? Where is the commitment to ensure that the kids who fail the external test have a chance of passing it next time? There is no commitment. The whole assessment system is established in a vacuum and that is the essential problem with it.

Let us turn to the member for Nightcliff, who keeps confusing the setting up of an external assessment system with the pursuit of excellence. They are 2 completely different things. One of the major reservations that teachers have with external assessments is that one is teaching to a specified body of knowledge. There is no problem with that if it enables children to be able to read and write. However, one is also teaching to a specified standard because the aim is to get as many students as possible through the hoop that is now to be put in place at Year 10. That is a very difficult thing to do in conjunction with the pursuit of excellence. One of the by-products is that it makes it harder for teachers and students to pursue excellence. We need to be very aware of that. If one is concentrating on getting as many students as possible through the hoop, that makes it difficult to pursue excellence on an individual basis for the students involved. I have faith, however, that Northern Territory teachers will not lose sight of the pursuit of excellence.

Let us not forget another basic fact. Not only do we have the most literate and numerate society that we have ever had; we also have the best-educated teaching force that we have ever had. In terms of teaching expertise, we are giving our kids the best possible opportunity to obtain a decent education. What we need to do is to provide the teachers and the students in our schools with the resources necessary to ensure that every child receives the best education possible. One must become worried about the government's serious commitment to that when one looks at the report of the committee in relation to school fees and the minister's espousal of a user-pays system. He says: 'We will have free basic education but, if you want the electives, you will have to pay for them'. That is getting away from the pursuit of excellence and will lead to a diminution in the quality of education.

Let us not forget another point. We are not educating students for a specific job or a specific range of jobs. Technological skills are advancing at an extremely rapid rate. What is as important now as specific areas of knowledge is the ability to handle new concepts and new ideas. That is very difficult to measure by external assessment. Despite the problems that this assessment model will impose on them, I hope that schools will remember that teaching students how to handle new concepts, new ways of thinking and new approaches is just as important as the teaching of specific knowledge.

Mr Dale: It is a very competitive world, isn't it? You have to learn to be competitive at an early age.

Mr SMITH: Yes, it is a very competitive world indeed. Unfortunately, it is competitive in a sense that the proposed assessment system does not propose to test.

Obviously, there will be a continuing debate about education. There will always be the cry that students today are not receiving the education that we received. There is a terrific quotation along those lines, taken from the words of Aristotle over 2000 years ago. Unfortunately, I do not have it with me. We must remember that we are the most numerate and literate society ever and that we face a unique set of challenges in turning out students who are able to cope with the rapidly increasing rate of technological change. Unfortunately, I do not believe that the external assessment system proposed by the minister addresses those issues.

If the minister and his government are committed to this proposition, perhaps he might like to present a statement at the next Assembly sittings putting it into a wider framework. For example, are we to have the concept of pass and fail? Will the children who do not achieve the arbitrary pass mark be refused advancement to Year 11? What assistance will we provide to those students to enable them to improve their standard? There is no point in identifying passes and failures through an external assessment system if you are not prepared to do anything about the failures. If you are not prepared to acknowledge that some kids have failed and some schools have not come up to scratch and that it is therefore necessary to provide them with more funding, it is all pointless.

Perhaps the Minister for Education might like to address that in a subsequent statement so that we can make some sense of the proposition that has been advanced today, instead of making what is simply, as he says himself, an attempt to enhance the credibility of our school leavers' skills in terms of literacy and numeracy without addressing the real argument of what levels of literacy and numeracy are required and how they might be achieved.

Mr FINCH (Transport and Works): Mr Speaker, I would like to commend the Minister for Education for coming forward with an extremely positive and well-balanced policy on assessment of students. We have heard from 2 retired teachers who hold fairly diverse views on examinations in the system.

Mr Ede: Fred, you have had 15 years of education without being affected whatsoever. Do not ruin it now. Nobody can see even a mark.

Mr FINCH: Mr Speaker, I will acknowledge the interjection of the member for Stuart. He is illustrating his extreme lack of education, in fact his extreme lack of common sense. Education is a complex mixture. Here we have what I think is a most sensible and reasonable approach. It is a balance between internal assessment in the classroom, day to day and week to week, without the pressure of examinations ...

Mr Ede: Is that good stuff?

Mr FINCH: Of course, that is a reasonable approach, but it is only part of an overall assessment procedure. Let me explain. I hope the member for Stuart will stay cool, calm and collected. I do not know what his behaviour in the schoolroom was like, back in those days when he went up to grade 2 - or was it 3 - but I would say that in all probability he displayed the same lack of discipline then as he does now.

I am trying to be reasonable and balanced about this matter. At present, we have internal assessment without the pressure of examinations. It is balanced from class to class and school to school.

Mr Ede: No, it is externally moderated.

Mr FINCH: Externally moderated, that is exactly correct. The new system will provide a levelling-out effect to remove the peaks created by teachers or schools who follow different procedures, by providing totally external, uniform, fair and reasonable external student examination. The member for Sadadeen queried whether 30% to 70% was the correct ratio between external examinations and other forms of assessment. Time will tell what is an appropriate balance between those 2 areas.

The use of external examinations will enable us to obtain a balanced assessment of the true ability and potential of students, without putting them under unreasonable pressure. It will provide them with a means of developing the skills which they will need as they proceed with further education, whether it be at university level, TAFE level or whatever. Students will always have to face examinations of some sort including situations in the workplace which are, in effect, examinations: delivering under pressure, putting one's thoughts on paper when under pressure. Functioning efficiently in such situations involves life skills which are an important part of the education process.

In terms of the development of those skills, many believe that the best approach involves the use of substantially more uniform external examinations. Others, as the former representative of the Teachers Federation would put it, would go entirely the other way. I do not hold to either extreme. I think the balance which the honourable minister has put forward is quite reasonable as a starting point. We need to develop skills in sitting for examinations, which some would call exam techniques. There is no doubt that, whilst many of us would have preferred not to go to school or to sit for examinations, those things are a fact of life. They are part not only of educational development but of the development of self-discipline. Until young people learn the self-discipline which comes from the imposed discipline of the classroom and of home life, they do not stand much of a chance. I believe that, in some form or another, examinations ought to be part of the process all the way through.

We need to develop a means by which to measure students' progress so that the community and students themselves can determine how they are placed in the system, how well they are doing or how badly, how good the teachers are, how good the schools are and how well the system is working. We need to be able to assess those matters. Self-examination is of some value in that respect and I would think that teachers would be interested in that aspect. They probably ought to have as great an interest in this system as anyone else. They should want to know where they sit in the system and whether they are performing well enough. The students want to know how they are performing. Their parents want to know how they are performing and whether more effort is required.

However, more than anyone else, it is the concern of the business community, the potential employers of these young people. By the time some students enter Year 10, they are getting ready to leave school and go into the workplace. Employers are interested in an objective but fair assessment of what level of education students have reached in the basic subjects, and we are talking here about English and mathematics only. Time and time again, I

have heard claims, often unsubstantiated, that nowadays young people do not have the same basic skills as young people had 20 years ago. How would you know, Mr Speaker, unless you had some impartial, fair and objective assessment available to you?

I had a small amount of experience as a lecturer at what was the Darwin Community College and I found out some very surprising things in some pretty basic mathematical programs. Of a class of about a dozen students, half seemed to be streets ahead of the others. The amazing but, to me, alarming aspect was that those who were ahead were all mature-age students. The kids who had just come out of the high school system - and obviously there could be very plausible reasons for this - were not doing anywhere near as well in what were fairly basic arithmetical subjects. Of course it is possible that the big difference was due simply to attitude, the mature-age students having seen a bit more of life. Certainly, though, when it came to examinations - which were the basis of assessment at the higher education level - the mature-age students were able to handle the situation much better than did the younger ones. I do not think that was because they were more intelligent. That could not be assumed. Rather, it might have been because the younger students were not conditioned to the examination system. They were not used to applying their thinking processes in a pressure situation.

That brief experience, together with discussions with people in industry, demonstrated to me that there were doubts about some areas of the education system. We need not only to improve the performance of many of our students but to demonstrate clearly to the business community and potential employers that the young people whom they employ as trainees, office juniors or whatever, actually have some ability to develop fully in their employment.

Mr Speaker, the honourable minister has provided an extremely good balance between internal and external assessment and I commend him for his approach. As he indicated in his ministerial statement, there is room to reassess the balance between internal assessment, externally moderated assessment and external examinations. I commend the minister's statement.

Mr BELL (MacDonnell): Mr Speaker, I have found this debate very interesting. In the context of the government's efforts in providing quality education in the Northern Territory, this initiative is one of its less praiseworthy efforts. There are 3 key areas which need to be discussed in this debate. The first relates to that oft-repeated phrase, 'back to the basics'. The most basic issue is, of course, that of public confidence in the education system. The second key area is the notion of what constitutes quality in education, and the third is the attitude of this government towards members of the teaching service.

I will begin with the question of public confidence. Obviously, a key goal for anybody providing public education is to ensure that the public is onside and believes that the system is providing a quality service. Obviously, there have been problems in this regard. I have said frequently in debates such as this one that there is a serious lack of public confidence in this government's delivery of education services. There is no problem with the primary education that is provided but there is a problem with the secondary education that is provided.

As somebody who sends his wife out to work so that we can send a son and a daughter to private schools down south, and as a Labor politician with a commitment to quality public education, I do a great deal of soul-searching on the subject of education. If the comments I sometimes receive from members

opposite in relation to that decision sound like strong personal criticism, you should hear what is sometimes said to me within the Labor Party. Be that as it may, I have given considerable thought to the subject and I presume that, in the context of a statement like this, the minister will not mind me enlightening him with my views.

The question of public confidence in the quality of education is a vital one and I do not believe that singling out assessment in English and mathematics will achieve a great deal in terms of establishing it. The fact of the matter is that this government's approach is typical of conservative governments elsewhere in this country. For 4 or 5 years, I taught in the Victorian education system under the Bolte and Hamer governments, with a Minister for Education who subsequently became a highly unsuccessful premier, Mr Lindsay Thompson. The distrust of the teaching service developed by those conservative governments taught me a few lessons. The first lesson was that conservative governments know that there are votes in bashing teachers, and the second is that they still need teachers to provide educational services through the school system.

The sad fact is that the minister is unable to achieve anything like consensus with the Northern Territory Teachers Federation in respect of a critical assessment of the quality of the education service provided in Territory schools. That fact screams out from every page of this statement and it causes me a certain amount of concern. Lest, as a former member of the NTTF, I appear to be merely a puppet for that organisation, let me say that it needs to provide a contribution to the debate on quality education instead of simply saying that, provided that a particular set of industrial conditions prevail, quality education will, ipso facto, be provided.

I sympathise with the government to the extent that I realise that it has to react to a perception that the public lacks confidence. I have no sympathy, however, with the government's approach in trying to use external examinations as a quick fix when, on the other hand, that government is creating huge morale problems in schools and among teachers, parents and kids. I do not need to speak about this at length. During earlier debates in these sittings, my colleague the shadow minister for education has drawn dramatic attention to the problems created by this government. My own children have suffered personally as a result of those problems.

The situation at Anzac Hill High School, in terms of the uncertainty created by the decisions taken in the last week of term last year, provides a typical example of the problems caused by this government's approach. What has happened since is not the point. The fact is that 2 or 3 months of preparation for the 1989 school year were wiped away overnight. Such decisions are made time after time, and I will give another example shortly. When situations of that sort arise repeatedly, I will not have a bar of the minister serving up the sort of statement he has made today in the pretence that he is making a positive contribution to education. When one considers the statement in the light of some of the outrageous decisions which he has made, it clearly represents hypocrisy of a high order.

I said that I would provide one more example of the problems created by this government's approach to public education. I will preface that by saying that I calculate that the cost of sending one of my children south for 4 years of schooling is \$40 000. That is in 1987 dollar value. As a member of the Legislative Assembly, I cannot afford that.

Mr Finch: Do they have exams there?

Mr BELL: Mr Speaker, I will answer that interjection from the member for Leanyer. The fact is that the schools to which I send my kids do not have exams at Year 10. There are a few other variables which members opposite might find it worth their while to consider. It took me a while to come to terms with my decision. I can suffer the slings and arrows of being accused of wanting my kids to rub shoulders with the upper middle class. The plain fact of the matter is, however, that I have a very good idea of what constitutes quality education. It is not the same as the education I received. I have thought pretty hard about the range of abilities of different kids and the range of occupations available to them when they leave school. One of the things I learned from that little exercise in self-examination is that there needs to be a range of strategies. The Leader of the Opposition made a good contribution to this debate when he talked about the different capabilities of students and, as far as I am concerned, the simplistic approach which the minister has offered in terms of the assessment of kids' abilities is not achieving much. But I digress, Mr Speaker.

I said that I would explain the circumstances which led me to lose faith in the secondary education system in the Northern Territory. My son was a student at Alice Springs High School for 2 years and the end result of that was that I lost confidence in the system. I will tell you how it happened, Mr Speaker. After 6 months at the school, he came home with the results of 3 months' work on a unit called Textile Science in a core curriculum subject called Life and Work Skills. I might say here that, as far as I am concerned, Life and Work Skills is one of the great nonsense courses and I will probably bring down upon my head the wrath of half the teaching service for saying so. After 3 months, my son came home with a half-completed apron and a written unit on why we wear clothes. At that stage, alarm bells began to ring.

My son had some ability as a language student. He had learnt to speak Pitjantjatjara quite fluently when we lived out bush. I was unable to exert paternal discipline and teach him Latin, a sore hurt for a proud classics student like myself. Again, I digress. I would have liked him to have done a couple of languages at the school but that was not possible; the school was not particularly sympathetic to that idea. He did a language experience course in Year 8 and, by and large, I think that was pretty useless. If we are dinkum about language teaching, we should be starting it when kids are 5 or 6, not when they are 11 or 12. But I digress once more.

At this stage, my son was developing rather a spaced-out look in his eyes. A parent can pick up those sorts of subjective signals: one knocks and there seems to be no one at home. He had terrific friends, loved his sport, was keen on cricket and hockey - but the mind was not working. That was a subjective judgment, but it was a concern. The crunch came at the beginning of Year 9 when he started to learn French. He was told that he would be able to continue that right through to Year 12. At the end of Year 9, however, he was told: 'Sorry, son. We are not teaching French next year. You will not be able to do a language in Years 10, 11 or 12. That is the end of your language study'. At that point, and only at that point, I decided that enough was enough. Within a period of 2 or 3 weeks, I investigated every possible avenue to provide quality education for my kids.

I do not appreciate the financial cost or the emotional cost of having to educate my children interstate and I suggest that this debate would benefit from a little more honesty in respect of the sorts of problems which cause people to make such decisions. The minister's statement today makes no contribution in terms of addressing questions, and 'Towards the 90's' did

nothing either. It was a typical administrator's document. It was not a teacher's document, a student's document or a parent's document.

Mr Speaker, let me make no bones about the fact that I enjoyed being a teacher. I derived a great deal of satisfaction from those occasions when I was able to encourage kids to extend their minds, to discover things that they did not know beforehand and to become involved in aspects of human life which they had not heard about before, in language, mathematics or whatever. I am sure that teachers of psychomotor skills and in the trades have similar experiences. However, the approach of this government is not to be honest about the inputs. It cuts education funding savagely and tries to rectify the situation with quick fixes like that put forward by the minister. It is not worth a knob of blue.

In closing, let me turn to the last page of the minister's statement. Whilst addressing the subject of assessment in mathematics and English, I am very sorry that the minister made a quality entry for the awards of the Society for the Prevention of Injury to the English Language. I draw his attention to the third paragraph on page 10, which reads: 'One of the principle aims of the Year 10 assessment package is to provide schools with a confidential diagnostic assessment which will indicate the performance of their students in English and mathematics'. The minister has failed the test; the fourth word should be 'principal'.

Mr SETTER (Jingili): Mr Speaker, it is regrettable that this debate seems to have been fought on ideological lines. Members on this side of the House are promoting the need to achieve whilst members opposite are promoting the concept that everybody should comply with the lowest common denominator. That was evidenced by the comments of the Leader of the Opposition, who told us that we lived in the most literate and numerate society that has ever existed. Perhaps that is true. He failed to say, however, that that is because more and more people in third world countries, together with people like the Aborigines of the Northern Territory, are becoming literate and numerate. That is why far more people are able to read and write than ever before. However, the Leader of the Opposition said nothing at all about whether people's skills or levels of achievement are any greater than they were some time ago, and I am saying to both him and his colleague the member for Stuart that that is not the case. Whilst there are many more people who can read and write, the overall level of skills has declined. That is what this debate is all about, Mr Speaker.

The Leader of the Opposition also spoke about how he went along to an interview at which some Year 10 students were applying for apprenticeships and was appalled by the fact that so many of those young people could not read or write. Mr Speaker, if you ever wanted a confirmation of the argument that we are putting forward today, that provides it. The Leader of the Opposition was saying that the existing system was inadequate because it was not producing, at Year 10, young people who had the basic skills of literacy and numeracy at levels suitable to qualify them to apply for apprenticeships.

We heard then from the member for MacDonnell. He told us how he spent 7 or 8 years as a teacher in Victoria. I am quite sure that teaching is an admirable profession in Victoria and that he did very well at it. He told us how he worked under a conservative government in Victoria and about the conflicts that developed between the teachers organisations and the conservative minister. I hardly need remind the honourable member about the conflicts that have developed between the Cain Labor government and the teachers organisations in Victoria. They were at loggerheads last year, prior

to the state election. I fail to understand how he can try to lull us into believing that teachers organisations in Victoria were in great conflict with a conservative government but that everything was rosy with a Labor government in power. The reality is that the Cain Labor government is having as much difficulty in negotiating with the Victorian teachers organisations as did any conservative government which preceded it.

The aim of any education system must be to provide students with a well-balanced, quality education. There is no doubt about that. Our education system must produce young people with a sound level of skill in the essential subjects which are, of course, English and mathematics and, up to a point, some of the sciences. We must produce students who have experienced a quality education because the ultimate goal must be to provide them with employment. We all have to seek employment, in a profession or trade or whatever. At the end of the day, students have to be able to go out and convince a potential employer that they are more employable or just as employable as the next person. We all know that there are a number of applicants for any job these days and, particularly in the case of students who leave secondary school and go straight into the work force, employers take those with the best academic records. That is a fact of life.

The lowest common denominator does not mean much when you front up for your first job interview, Mr Speaker. The thing that counts is the level of skill you have been able to achieve in your education and, of course, the most important factor is that our education system must have credibility in the community. I used to work in private enterprise. I have talked to employers. I have been on committees in private enterprise, including the Master Builders Association and so on, and the continual complaint that I have heard over these last 15 years or so, until fairly recently, has been about the poor standard of education of young people leaving school to seek employment. Potential employers in private enterprise have been enormously critical of the poor standard of education. The community must have confidence in the education system.

Mr Speaker, let me relate some of my own personal experiences with regard to this matter. One of my sons came to Darwin after having been in a private school as a day boy in a Queensland town where he was achieving quite well. I think he was in Year 8 or 9 at that stage. We came to Darwin and he went to what was then the Casuarina High School. Over the following 2 years, as he was building up to Year 11, his standard declined dramatically. Of course, the internal assessment system was in place in those days and he used to bring home his assessment card. I would complain about the falling levels of his achievements. I used to talk to teachers and, together with his mother, I became very concerned. I used to ask him what he did all day. He would say: 'Well, we have 1 period of maths, 1 period of English and 1 period of Social Studies, and for the rest of the day we go down to Casuarina Beach and study the sea-shells, the ecology, the environment or whatever'. Given the falling standard of this boy's education, I used to wonder why the teachers did not wake up to what was going on and suggest that, instead of going down to Casuarina Beach some days, he might stay back and take an extra couple of periods in the basics, mathematics and English; the most important subjects. But no, that did not happen. The end result was that I took that boy out of that school and, at great expense, sent him back to the private school which he had previously attended. He spent the next 2 years studying and trying to catch up on what he had missed, and I am pleased to report that he matriculated very well.

Another of my children attended another high school in the northern suburbs. That child was a very good primary school student and was in the top 10%. In Year 8 at secondary school, the child did very well indeed. In the second year, the standard started to decline, and I put that down to peer pressure. An attitudinal problem developed and, as a result of laziness perhaps, and a lack of what I would call encouragement on the part of the teachers - certainly not on behalf of the parents - the standard of the child's work was dropping. The teacher's advice was that, if the child could not cope with the standard of the work in level A of a particular subject, consideration should be given to dropping to level B, where it would be easier. Against my advice, that was what happened. The following year, level B became a bit hard, not through lack of ability but through an attitudinal problem and a lack of encouragement. The advice at the end of that term was that a drop to level C would be appropriate.

That child went from level A in Year 8 to level C in Year 9. It was the same child with the same abilities but, because of attitudinal problems and a lack of dedication on the part of some of the teachers, together with a lack of encouragement from them, results deteriorated greatly. That led to a turning point. After a great deal of advice from myself and my wife, the child eventually decided that it was make or break and that it was time to get down to it. In due course, the child matriculated and has done very well ever since.

The problem with the assessment system which we have had in the past, a system which is totally school-based, is that it is full of inconsistencies. It is based on an assessment which is carried out by the teachers in each subject. People vary and teachers vary in their attitudes and their assessments. If 2 teachers assessed a single child for a single subject, I would warrant that the assessments would vary. That is where human nature comes into it. Some children may be problem children whereas others are very good and may be teachers' pets. Human nature has some influence in the assessment of students and that is of concern to me.

There is no doubt that the community expects our education system and our schools to strive for excellence. This government supports the pursuit of excellence. In fact, the minister said in his statement that the keynote for excellence is student achievement in the basics of English and mathematics, literacy and numeracy. In 'Towards the 90s', there is a statement at page 2 which says: 'Excellence has many meanings but expresses well the government's desire that schools should maximise students' chances of developing their potential to the full'.

I understand that the Territory ALP supports that because its education policy document, under the heading of 'Excellence in Essentials', says: 'Labor believes that education should be in tune with contemporary needs. Community expectation is that schools should achieve increasingly high levels of literacy and numeracy. While there is no evidence to suggest that standards have declined, we should aim to meet those higher community expectations. In preparing our young people for their high technology future, we must ensure excellence in essentials'. It is interesting to note that the former federal Minister for Education, Hon Susan Ryan, is reported in The Age of 21 April 1983 as saying: 'I do not like the term "pursuit of excellence". It has an elitist overtone that I really dislike'. That shows that the Northern Territory ALP was totally out of kilter with the federal Minister for Education. It demonstrates how confused the ALP is about education.

It is also interesting to note comments made by Mr Bob Wharton on 4 October 1988 and reported in the NT News. Genny O'Loughlin, in a report on the annual NT Teachers Federation Conference which opened in Darwin on that day, stated that Mr Wharton launched a scathing attack on the Territory government's directions in education: 'In his opening speech, the NT Federation President, Mr Bob Wharton, said the NT government held public school education in low priority, supported private school elitism and represented the new right in its bid for tighter teacher assessment'. Members of the opposition are virtually echoing his words today or, if not his words, certainly his sentiments. The members opposite are totally confused because Mr Dawkins, the federal Minister for Employment, Education and Training, has said that change is required to strengthen community confidence in public education. Isn't that what we are doing? The minister is introducing an assessment system which allows for 70% of the mark in English and mathematics to continue to be externally moderated with the remaining 30% to come from an external examination. I agree with the member for Nightcliff that 30% is not enough. If it were left to me, it would certainly be more.

Like almost every member in this House, when I attended school and college, 100% of my education was assessed by examination. The final exams were external exams. It has not hurt my education. In fact, I am very thankful for the opportunity that I was given because, at that time, I knew exactly how I stacked up against everybody else in the class, whether I achieved 80%, 70%, 60% or 50%. I knew how I stood because the child sitting next to me received his percentage figure in every subject as well. It did not do me any harm. When I came out of that education system, I could add up, subtract, multiply and divide and I could spell. I could write in a reasonable longhand and I had an appreciation of literature which, I am sure, many young people do not have today. The JSS Certificate is the conclusion of education for many students. It is imperative for them, for their parents and for their potential employers that our education system has maximum credibility. The new system of assessment will certainly do much to enhance that credibility. I support the minister's statement.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, all of the honourable members in this House have particular interests on which they speak from time to time as a result of their training or their specialist knowledge. I have such interests but I do not very often rise to speak on education matters because the minister seems to be on the right track in terms of looking after the education of children in the Northern Territory. However, after hearing some of the contributions by honourable members today, I could not remain seated and say nothing. I felt that I must rise to actively support the minister's statement.

I believe that only by returning to some of our former standards and conservative values can we have any hope for the proper education of our children in the future. Time and time again, employers advertise vacancies in their businesses only to find that applicants do not have the basic literacy and the basic mathematical knowledge required. In itself, this is a definite reflection on the standard of our education. In the course of living in this world, we need to be able to support ourselves. We are able to do that only if we know what is going on in the world around us, are reasonably au fait with the written and spoken word, can express ourselves and can manage our own affairs. It is very well known that the best time for learning is when one is a child. As one grows older, one tends to slow up a bit. The ideal time for absorbing information is when a person is young. If a child misses the opportunity of a proper education for various reasons - the teachers were incompetent or uncaring or there was no school, which is rare these

days - that child will carry a very heavy burden throughout life. Education in any form is a very light load to carry. In fact, educated people do not realise the importance of the advantages flowing from their education until they meet people who have not had those advantages.

I was fortunate to be educated at convent schools during my primary and secondary years. I was fortunate in having teachers who taught in the way some teachers still teach, in that they put the interests of the children first, last and foremost. The children came first and the teachers came second. The teachers existed to teach the children. That is missing from so many of the ideals of teaching today. It is missing from the interests of so many teachers. I am not saying that teachers should teach for nothing. I believe they should receive a good salary for their work, but I believe that the be-all and end-all of teaching is imparting knowledge to the children or the people in the teacher's care.

The thrust of the document which has been presented to us is to try to give the general public some idea of the level of excellence attained by children in Year 10 in the Northern Territory. Some children who attain a pass level in Year 10 continue with their education and the JSSC may not be of as much importance to them as to children who leave school at that stage. It is very important that those children have an outside assessment of their excellence in literacy and numeracy. If they have passed an external exam in particular subjects, and the same exam has been set for all children in the Northern Territory and has been marked by a board or a panel of impartial teachers, the student has an impartial assessment of his or her excellence in those subjects. When young people go for a job, the reality of the situation is that, at the interview, the employer will ask what level of education has been reached. Now, students will be able to produce a certificate, and to say: 'I have attained such-and-such year level, and these were my marks'. Immediately, an employer will know exactly what level of education the person has reached and what he or she is capable of.

In his statement, the minister talks about public confidence. I believe that is very important. The taxpayers pay to educate children and the taxpayers must know, from time to time, how their money is being used. I believe the government owes a duty to the public to say how children are being educated. Public confidence is a very important consideration.

The minister stresses that there will be an external assessment, not an internal assessment, in Year 10 for English and mathematics. He talks about the Board of Studies and the broad spectrum of groups represented on it. I have read the list of representatives and can see that it certainly includes a broad spectrum of representatives.

It is a pity that the time has come when the honourable minister has to present a paper like this. It is not so long ago that people sent their children to school and they were just taught. People like politicians did not really have to concern themselves too deeply with the level of studies that were offered to children or how children were being taught because they knew it was being done properly. I am not saying that the matter is beneath our notice as politicians, or beneath the notice of the minister. I believe that the minister had only one course of action left open to him, which was to intervene to ensure that the education offered by teachers in the Northern Territory was up to the standard expected by parents.

More and more, parents are expecting their children to have some reasonable level of knowledge when they leave school. The level of concern

among parents is illustrated by the situation of private schools in the Northern Territory. Most of these schools are small and are connected with religious organisations. Almost invariably, as soon as they open, if not before, all student places in these schools are filled. Although they could not be described as up-market schools, they have certain levels of teaching and certain expectations of behaviour of teachers and children. The fact that places in these schools are filled almost as soon as their doors open shows that people in the community want that sort of an education for their children. They want discipline in education. They want both teachers and students to maintain certain levels of conduct. Parents want their children to be taught the moral standards which they themselves hold dear, and it seems that not all schools in the Territory follow the same high standards in education as do some of the private schools.

It is more than time for us to get back to what used to be called the 3 Rs. Honourable members will know what I mean by that. The 3 Rs are now called literacy and numeracy. I believe it is time that we discarded the airy-fairy subjects taught in schools, subjects which are very easy on the teachers and completely useless to the children. Instead of teaching them literacy and numeracy, these subjects teach children about the social significance of a continuing awareness of their individuality in the community and so on. A big deal is made of such things. They are areas of knowledge that do not fit the children for a good, solid standard of living in the future and do not take into account the fact that children grow up into adults and, as adults, have to earn a living in the world. I believe the time has come when schools pay more attention to the social consequences of filling in unemployment benefit forms rather than offering basic education to the students that are enrolled in the school.

In his statement, the honourable minister goes on to say that the external examination will be worth only 30% of the final mark. I do not have any argument with this. I suppose it is a good start but in future I would like to see consideration given to a change which will give more significance to the results of external examinations in the final mark for students in Year 10. It is not really necessary for honourable members to concern themselves with the actual details of English and mathematics, the subjects referred to in the minister's paper. I believe that the details of the courses should be left to the teachers and there should be no political interference. The minister exists to give direction and not to speak about the details of the actual courses. That should be left to the teachers concerned. The minister has stated that the 70:30% balance between examination marks and the remainder of the assessment may be adjusted in the future. I think that that is something to bear in mind and something that could be kept before the Board of Studies on a continuing basis.

I do support the minister's statement. I believe that it can only be to the betterment of pupils attending our Northern Territory schools if there is an overall assessment, at the end of Year 10, which is the same for every child in every school. Far from it creating difficulties for teachers and pupils, I believe that this will provide them with no real worries. Most teachers are teaching properly to the curriculum already.

Honourable members who have spoken before me have mentioned the stress which sitting for examinations creates for the students concerned. I consider that a load of hogwash. It may be slightly stressful in some situations but many situations in life are stressful. When one is at school, one learns not only how to count and read - literacy and numeracy - but also how to control oneself in future life. If one has not learned how to control the small

amount of stress which examinations may cause, one will not be able to handle stress later on in life. Life is not always a bed of roses. From time to time, there are stressful moments in everybody's life.

Mr Deputy Speaker, I support the statement of the honourable minister.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I will not say a great deal tonight because I think probably everything that needs to be said has been said. However, it would be remiss of me not to rise in support of the minister's statement. I have long held the view that external assessment of students was the only way to go, and that view has been formed after considerable discussion with teachers over the years. I have to say that many teachers support very strongly the concept of external assessment and are very strongly of the view that it was a mistake to remove it to the extent that it has been removed in recent times. I think, in fact, that that has happened by stealth. When I was at school, external examinations were very much the order of the day. Everybody was examined at least twice a year, although only one of the exams was external.

Many of the ideas espoused by young teachers coming through the system today are anathema to me. I cannot accept the view that there is no justification for children to be put into a position of competing. In fact, I have had discussions with a number of young teachers who were very much of the view that it was not their role ever to praise a student because a consequence of that would be to put other students down. I find that very difficult to accept. Nothing assists a person more than a bit of praise and some recognition for the effort which they put into their work whether as a child in school, an employee or a member of a family. Those who receive praise perform much better. If there is due recognition for the effort, effort improves.

There is no need for competent teachers to be concerned about external assessment. There may be ...

Mr Ede: What is the difference between assessment and examination?

Mr McCARTHY: External examinations, if you like.

Mr Ede: They are not the same thing.

Mr McCARTHY: I am quite happy with your view that an assessment is not necessarily an examination. Indeed, I am in favour of going the whole way. I am very much in favour of external examinations.

Mr Deputy Speaker, as I said, there is no reason for competent teachers to be worried about this. There is certainly no reason for parents to be concerned about external assessment or examination. In fact, I believe that the majority of parents today are calling for it. They are demanding more assurance that the effort which they are putting into the education of their children is being rewarded by competent teaching in the schools. Many are concerned that that is not the case. If a school or a teacher does not perform, the parent has every right to know that the teacher or the school is not performing.

I very strongly support the proposals which the minister has put forward in this statement. Although it is not before time, I admire the way in which it has been done. There has been a great deal of input ...

Mr Ede interjecting.

Mr McCARTHY: Of course, the opposition will get up and say that it is no good and that our approach is just not the way to do things. In fact, Mr Deputy Speaker, it has been done correctly. There has been consultation throughout the community and the step has been taken with the support of parents and, in my view, the support of the large majority of teachers, certainly those with confidence in their own ability to teach.

Mr Deputy Speaker, with those very few words, I strongly support the minister's statement.

Mr HARRIS (Education): Mr Speaker, I thank all honourable members for their contributions to this debate, which has been interesting and wide-ranging. With the exception of the contribution of the shadow spokesman for education, I believe a great deal of good has come out of it.

I think the Leader of the Opposition missed the point to some extent. He said that I had missed the key point of improving literacy and numeracy. In other words, he was already accepting that it was poor. I want to make it quite clear that I have a great deal of faith in our education system. I am not frightened to have literacy and numeracy tested by means of a form of external assessment or external examinations, call it what you like. I have confidence in the system.

The Leader of the Opposition quoted the section of my statement which says: 'I am sure this initiative will greatly enhance the credibility of our school leavers' skills in literacy and numeracy and thereby improve their employment prospects'. When we talk about credibility, we are talking about improving literacy and numeracy. We have to start somewhere. There is definitely a perception in the community, whether one likes it or not, that the education systems of this country are not producing the goods. It is a fact of life that that is the community's perception. I want to know if that is right or wrong. We have to start somewhere and we believe that what we are doing here is introducing a measure which will enable us to determine whether there is a real problem.

It is well known that, in situations in which everyone has confidence, standards tend to rise.

Mr Ede interjecting.

Mr HARRIS: Mr Speaker, I will come back to the member for Stuart. During this debate, once again he has misled the public. He will not sit down and participate in reasoned debate as the Leader of the Opposition and the member for MacDonnell did. He simply sits there carping and I will come back to him in a minute.

The Leader of the Opposition stressed that society has become very well-educated. That observation emphasises the need to ensure that our children receive an education which enables them to compete. As I have said, there is a perception in the community that there are problems within our education system. I happen to have confidence in it but I am prepared to put that on the line and see what happens. I am very pleased that the Leader of the Opposition supports this statement. He said that he would support it only if it were part of an overall plan. I am glad to have his support in that respect.

The member for MacDonnell made one of his more reasoned contributions to debate in this Assembly. We do not often hear from him on education matters, although he has some expertise in the area, and I wish he would contribute more often. When he actually discusses the issues instead of just slapping the government and the education system we provide, he might produce some reasonable suggestions which we could take on board. I was disappointed to hear how his lack of confidence in the system came about. Of course, things like that happen from time to time and they are matters which the government can address. We are addressing the problems in relation to the teaching of languages in Alice Springs and we are looking at establishing a language centre there. Through debate and discussion in this Assembly, we can consider such issues.

The member for MacDonnell spoke about the government's attitude to members of the teaching service. I want to make it quite clear that I have tried very hard to ensure that I have a good relationship with teachers generally. The problem exists in relation to the executive of the Northern Territory Teachers Federation and I have made that very clear on many occasions. In fact, during the course of the build-up to this debate, I offered to speak to the new president of the federation. I rang him up, Mr Speaker.

Mr Ede interjecting.

Mr HARRIS: Mr Speaker, I will address that interjection in a minute. I am quite happy to talk to members of the Teachers Federation and to discuss the issues. We were talking specifically about legislation in relation to colleges, which will come up later. I will take the member for Stuart's interjection on board at that time.

Mr Ede interjecting.

Mr HARRIS: Mr Speaker, I am not frightened to answer those questions and I will do so during the course of that debate.

Mr Deputy Speaker, you yourself raised the issue of the results being hidden. Can I just make it very clear to you, Sir, that that is not the case. The results will be made available to the individual schools and the principals and the school councils will decide exactly what they do with them. I will just indicate, however, that one of the problems in relation to publication of results is that they can be easily misinterpreted. It is well established that some schools do better than others in public examinations simply because their student intake is better. That relates to a whole range of factors. Students from higher socioeconomic backgrounds tend to have all the advantages before coming to school, and that can have an effect. In some places, particular schools admit only those students who are likely to do well. That is why comparisons can be misleading. However, we are not trying to hide the statistics and we have indicated very clearly that the results will be available to individual schools.

The member for Koolpinyah said that, in many cases, places in private schools are filled as soon as they open their doors. That is not always because of the quality of the teachers but because of the discipline or some other aspect that parents would like to see in the education system. I believe that our education system is a very good one.

I turn now to the member for Stuart, the opposition's spokesman on education. I hope he does not continue to hold that position for too much longer because, quite frankly, the Leader of the Opposition and the member for

MacDonnell seem to handle some of these matters responsibly. They do not throw out one-liners and totally mislead the public on a variety of matters. Once again, today's performance by the member for Stuart was abysmal. He said at the start that he would shoot me down in flames. What he proceeded to do was again mislead the public and this House. Again, he presented a mountain of misleading information to members of this Assembly. We are talking about children's education and I wish that he would realise that and discuss the issues in a responsible manner. His record is not good and I believe that his leader should take over the position of education spokesman.

The member for Stuart stated that the recommendations of the Board of Studies were different from what we are proposing.

Mr Ede: That is right.

Mr HARRIS: He mentioned that the Board of Studies recommended some form of system-wide external assessment which would include common instruments of assessment in English and maths. He mentioned moderated samples of work, tests, end-point measures and prose under supervision. Apart from the first point, moderated samples of work - and I would indicate to the member for Stuart that 70% is still related to that aspect - the tests, end-point measures and prose under supervision are all forms of examination.

Mr Ede: Rubbish!

Mr HARRIS: Mr Speaker, the government has accepted the Board of Studies' recommendations. To say that we have not done so is a load of nonsense.

The member for Stuart said also that I did not know the difference between examinations and assessment. As far as I am concerned, examinations are in fact the best known means of assessment. He went on to give a definition of 'examinations': they are set externally, they are the same for all students, they are undertaken at the one time and they are marked externally. I agree because those things give a common basis about common instruments and what is a more common instrument than an exam? The member for Stuart misled the parliament when he forgot to say something which is made very clear in my statement: that the people involved in the exercise would be teachers. Teachers will meet to set the examination paper and teachers will mark the students' papers. The member for Stuart knew that and he was misleading this House. He should be censured and he should be removed.

Mr EDE: A point of order, Mr Speaker! The honourable minister has accused me of misleading this House. I request that he do so by way of a substantive motion rather than making allegations which are completely unfounded.

Mr SPEAKER: There is no point of order. The honourable minister should be aware that he cannot accuse any member of deliberately misleading the House.

Mr HARRIS: Mr Speaker, the member for Stuart has said today that we are returning to the 19th century. We are not doing that. Why doesn't he talk about what we are in fact proposing? We are talking about 70% externally moderated school assessment and 30% external examinations. The trouble with the opposition spokesman on education is that he always talks about the extremes and not what is actually being proposed. If he would look at what is being proposed and discuss it in a reasonable manner, he might make some sense.

He asked why the external examination should apply particularly at the end of Year 10. That is the end of compulsory education and it is an appropriate time to carry out such an assessment. It marks the end of general education because, after that, students begin to specialise. We need to ensure that the basics are right.

The matter of forcing teachers to teach for examinations has been covered. Like the member for Nightcliff, I have a great deal more confidence in our teachers and their professionalism than has the member for Stuart. There is a curriculum and, after all, the examination will be set on that curriculum. What is the problem? Again, we are talking about 30%. In respect of the member's comments about the attitude of the Mathematics Teachers Association in relation to this, I would not query its attitude so much as whether or not it is truly representative of maths teachers generally. I have letters from individual teachers and from groups of teachers who totally support the introduction of Year 10 assessment.

Mr Ede: You keep saying that. Why do you not table some?

Mr HARRIS: Mr Speaker, in relation to maths and testing, the entire maths staff in 2 high schools have written to me indicating their support for external assessment in relation to mathematics. Those people are teaching at Year 10 level.

Let us talk about where we are going. The Board of Studies carried out a survey, and the member for Stuart referred to that. I must say that, as he quoted them, the figures could be misleading. He selectively quoted figures and I would like to turn to the figures that he referred to. The document that he referred to is about to be printed and it will be distributed to schools. They will be able to read everything that he has mentioned. He referred to percentage response rates by group, and the extent of agreement and disagreement with the introduction of external system-wide tests or examinations in Year 10. He quoted selectively from those figures. In some cases, it was line ball. In respect of employers, 68% were positive and 32% negative. He happened to quote the 73% of senior educators against the introduction of external examinations as opposed to the 27% in favour.

We are not talking about system-wide, total, external testing. Another question related to agreement or disagreement with employing combined forms of assessment and reporting in Year 10, and 83% of students responded positively as against 17% negatively. The figures for parents were 77% and 20% respectively. In the case of school assessment plus exams or moderated examinations, the response was quite different because 90% of the senior educators, the tertiary educators, the school counsellors and the employers agreed to some form of school-assessed and moderated and externally-assessed subjects. The member for Stuart cannot even get his facts right until ...

Mr Ede interjecting.

Mr HARRIS: Mr Speaker, may I have some protection from the Chair?

Mr SPEAKER: Order! The honourable minister will be heard in silence.

Mr HARRIS: Mr Speaker, the findings of the study suggest strong and widespread support for the assessment of student performance and attainment in Year 10 incorporating school-based, continuous and moderated elements together with system-wide external instruments. That is what we are doing.

I have confidence in the system and I am prepared to put that on the line. There are numerous reports relating to university students being given remedial work to bring them to a stage at which they are able to complete their courses. During the course of the debate on 'Towards the 90s, Volume 2', I quoted from the Daily Telegraph of Monday 21 November, 'Furore over Illiterate Students'. It stated: 'Thousands of students leaving school to take up technical college courses are so illiterate they cannot read their own text books, according to an alarming new survey'. That article indicates very clearly that, whether we like it or not, there are perceptions and concerns in the community.

This government is addressing the issues. I have confidence. We will wait and see what the results of the examinations are, together with the other assessments. We can identify problem areas and, as I have indicated in the statement, we will be able to look at the results to see exactly where we are. There is a call in the community for us to introduce external examinations, and the Leader of the Opposition indicated that he thought that we were doing what people wanted. I can assure you that they want 100% of the assessment to be based on examinations and, Mr Speaker, as you have heard in today's debate, most honourable members want 100%. I have decided to make sure that the balance is there and that is what this government has done.

Motion agreed to.

STATEMENT
Review of the Criminal Justice System

Mr MANZIE (Attorney-General): Mr Speaker, I rise to make a statement about the criminal justice system in the Northern Territory.

Over the next 2 years, this government intends to conduct the most comprehensive review of our criminal justice system ever undertaken in the Northern Territory. There are 2 main reasons why this review is to be carried out now. Firstly, the Criminal Code has been operating now for 5 years. Following self-government, the Territory had the opportunity to set up a complete and modern system of criminal justice without the weights of obsolete common law and statutes which drag down the states. This government took that opportunity and produced the Northern Territory Criminal Code, a complete package of criminal legislation which was - and still is - regarded as the best and most innovative in Australia. It has already served the Territory well. Yet enough time has now passed and enough judgments have been handed down to enable us to examine its operation and its interpretation and, therefore, to judge where improvements can be made.

Secondly, as technology advances and becomes more sophisticated, so do criminals. As society changes so do crime patterns. The ability of criminals to move stolen property or illegal substances and to travel very rapidly from one part of the country - or, indeed, the world - to another means that we have to be able to react much more quickly than we have in the past. In recent years, even relatively low-level organised criminals have begun to use sophisticated hi-tech communications and have become highly mobile. Inter-jurisdictional crime is also continually on the increase. Consequently, we must ensure that both the criminal law and the criminal justice system generally are adequate to deal with crime in an ever-changing, high-technology age.

On 15 June of the year 1215, in a meadow at Runnymede, King John proclaimed in Magna Charta: 'To no one will we deny or delay right or

justice'. He did not, as law-makers have often remarked since, go on to say, 'provided that this is cost effective'.

We live in a far more complex society with far more complicated problems than those faced by King John and his barons. In 1989 the challenge we face is to strike a proper balance between preserving those rights of the individual and the freedoms that have been fought for and won over a period of more than 700 years while at the same time meeting the needs of a modern society. The Territory government will approach this review in a manner which is sensitive to those hard-won rights and freedoms. However, we must also act with purpose and with imagination. The system must not only be fair, it must be seen to be fair. This means that we must have regard not only to the rights of the accused but also to those of the victims and society generally.

Consistent with this approach, the system must also be cost effective; otherwise, it will not receive the support of the community which is necessary to make any system work effectively. Unnecessary delays must also be eliminated. The Territory government has far and away the best record of any government in Australia in this regard. One hears constantly of delays of up to 3 years in bringing offenders to trial in some states. That does not happen here and the government is determined that it will not. The reason for that is that this government believes firmly in the principle laid down in the Magna Charta that justice delayed is justice denied.

Full and meaningful consultation with the community is of vital importance when significant changes to the criminal justice system are contemplated. That is why I am making this statement today to inform honourable members and the community of what is being done and what we propose to do. We must then involve the community in setting standards for, after all, it is the community which ultimately decides what sort of criminal justice system we have. It is not possible to deal with every aspect of the criminal justice system in this statement and, if I do not deal with a particular issue, that does not mean either that it is either unimportant or that it will not be addressed in the review. I will now outline some of the major areas which will be covered.

I have touched already on the subject of the Criminal Code. Enough time has now passed to enable us to have a close look at how it is working and being interpreted. We must see if there are any gaps in the law which need to be filled or anomalies which ought to be removed. A particular area which must be examined is that of penalties. A detailed review of sentencing policy will be included in the overall review, and I will say more about penalties in that context shortly. I emphasise that the review of the Criminal Code will take some time. It is not an area which can or should be rushed. I emphasise also that there will be full consultation involving not only the Crown but also the judiciary, the legal profession, the police and the community.

The legislation which most affects the criminal justice system at what I call the base or local level is, of course, the Justices Act. That act sets out the law relating to summary proceedings. It deals with the taking of information and complaints and the issue of warrants and summons. The act deals also with the preliminary examination of people charged with indictable offences. A review committee is being formed on which both the private legal profession and the Northern Territory University will be represented. The government has a number of concerns about the Justices Act, not the least of which relate to the inconvenience, delay and expense experienced by some users of the court system in remote areas. Victims required to act as witnesses cannot be expected to wait lengthy periods for regular court sittings and, if the offence is a minor one, it does not make economic sense to bring a person back from interstate to give evidence.

Defendants awaiting regular sittings can be faced with economic problems out of all proportion to the penalties that their offences require. The public is potentially at risk also in that some minor offences are effectively ignored. For example, some drivers are allowed to remain on the road when they should not be, constituting a menace to others. In addition, the cost of employing police to execute warrants of apprehension to bring defendants to court is enormous. I doubt if the time has yet come when we need a formal 3-tier system comprising district or county courts as well as magistrates and supreme courts. However, I think we need to look closely at ways of improving the criminal justice system in remote areas. One way this might be done would be to allow 2 or more suitably trained Justices of the Peace to deal with some minor matters in those areas. This would see matters dealt with more expediently, which would benefit the community as a whole.

As well as dealing with the problems of remote areas, and considering who, and in what circumstances, should constitute the court, the review committee will be looking at levels of jurisdiction, criteria for committal, time limits, pre-trial disclosure by both prosecution and defence, appeals and ways to speed up the system and to reduce costs. The review will take some time. However, I foreshadow now that I will be introducing some amendments to the Justices Act in the coming months to help keep up to date until that review is complete.

Mr Speaker, I turn now to some of the particular problems we face in the Territory. High on that list must come problems related to alcohol and drugs. Some people say we need to look more closely at the relative cost to society of drug abuse, on the one hand, and drug prohibition policies on the other. The pro-legalisation lobby says that governments are focusing too much attention on the former and that this results in harsher laws being introduced without any regard to the cost of trying to enforce those laws. This is just one of the many arguments used by the pro-legalisation lobby to justify its stance. A number of other arguments are used by the pro-legalisation lobby. One is that it is impossible to outlaw drugs. Another is that there is no difference between the use of alcohol or tobacco and other drugs and it is hypocritical for society to spend millions of dollars trying to ban the use of drugs, while other millions are spent promoting alcohol. A corollary is that health costs associated with drug abuse are far less than those associated with alcohol abuse. The lobby also argues that it is difficult to enforce drug laws because drug users have no incentive to report drug traffickers or tell the police who they are. It believes that, if drugs were legally available, there is no reason to think more people will use them. It argues that legalised drugs would be cheaper and safer for those who use them and that governments would be able to establish relatively low purity levels, thereby reducing the potential for drug abuse and addiction. With the option of obtaining supplies from government registered sellers, the lobby argues that people would not have to resort to the black market, to traffic in drugs or commit other crimes to support their habit. Thus, it concludes, drug law offenders would cease to clog the criminal justice system and fill the prisons.

According to the pro-legalisation lobby, the end result would be that we would have no more drug users than at present and governments would actually collect revenue instead of spending it. Superficially, some of those arguments may seem attractive, but it does not take too much analysis to expose them as being either seriously misleading or purely speculative. Firstly, and most importantly, pro-legalisers seem to ignore the fact that most drugs are harmful and many are addictive. It would be wrong in principle for this government to make legal an activity which is known to be harmful.

Secondly, the proposition that, if drugs were legally available, few people would use them or no more than at present, is purely speculative. Indeed, the impact on social drinking habits throughout Australia following the introduction of breathalyser legislation strongly suggests otherwise. The fact is that legal restrictions are a deterrent and create stigma which deters many people from engaging in conduct which they may otherwise pursue. In any event, governments have an obligation to act positively to control harmful behaviour.

Thirdly, it is difficult to see how it would be possible to justify making a highly-addictive substance - such as crack - legally available. If crack and other higher-purity drugs were not legally available in a generally liberalised environment, it seems inevitable that a black market would eventually arise, and that in itself destroys a major part of the pro-legalisers platform. Fourthly, the fact that some drugs may be no more harmful or even less harmful than alcohol or tobacco is no legitimate reason to legalise their use. The reality is that we are stuck with the social cost of alcohol and tobacco, but that does not mean that there is an onus on government to add other drugs to the list of legal vices. The real answer, of course, is to better educate people about the dangers of alcohol and tobacco abuse, and we are doing that. Fifthly, it may be true to say that legalisation of drugs would reduce costs in some areas - for example in the criminal justice system. However, increased drug use might lead to a much greater overall cost to society, both in monetary terms, through the cost of health care and social security, and in terms of the human misery generated by large numbers of drug abusers.

Mr Speaker, I do not propose to deal with Australia's international treaty obligations. Suffice to say that I have no doubt that the Northern Territory's relations with countries to our north could be severely damaged if we were to legalise the use of drugs. Honourable members would no doubt be convinced that this government is not persuaded by the arguments put forward by pro-legalisers. I state now, unequivocally, that this government has absolutely no intention of legalising the use of illicit drugs. This government will not - and I repeat, will not - legalise the use of marijuana.

Having made the government's position quite clear, I think that we can and should learn from the arguments put forward by the pro-legalisation lobby. Dealing with drug offenders is expensive. Health care and other costs are high. Most important of all, probably there is not a deeply enough rooted moral consensus in the community that the use of drugs is wrong. It is in this environment that pro-legalisers are heard and those who argue that the use of marijuana should be legal gain some respectability. The very currency of the present debate on marijuana shows that too many people are ambivalent in their attitude to drugs.

It is all very well for drug users to claim that they are not real villains. The fact of the matter is that one cannot keep blaming the trafficker and excusing the user. Without users, there would be no traffickers. It must be remembered that users must either purchase drugs from a trafficker or pusher or must illegally cultivate the drugs themselves. We must make the community realise that using drugs, including marijuana, is harmful. Until we get that message across, the drug problem will not go away. All members of this House have a clear responsibility to support this stance, Mr Speaker. Unfortunately, at least 1 member has chosen not to do so. Indeed, his actions can only be described as grossly irresponsible. I refer, of course, to the member for Barkly's comments on talkback radio last month. He said, and I quote:

I think what we're going through is a series of fine steps that will lead to the legalisation of heroin and that what the government is trying to do in achieving one objective of legalising heroin with a minimum of fuss is to be really tough on the marijuana users and say: 'Look how tough we are in the anti-drugs scene'.

Not only is that statement rubbish - and the member for Barkly knows it is rubbish - but it is one of the most sickeningly irresponsible remarks that I have ever heard. Such mischievous claptrap sends totally wrong signals to the community, particularly to our young people. How on earth can we make young people realise that drugs are harmful if a former Chief Minister goes about saying that sort of thing?

Mr Speaker, the drugs most widely used in the Territory are marijuana, amphetamines and prescription drugs. There is no evidence to suggest that the use of hard drugs is widespread but it would be foolish to assume that attempts will not be made to introduce crack or to increase the supply of heroin and cocaine. We must be prepared. It is said that some governments have run out of ideas and that their only response to the drug problem is simply to increase penalties across the board and hope for the best. This government does not intend to fall into that trap. We intend to hit drug traffickers hard. This government believes that those who traffic in hard drugs, who traffic in death, should pay the same penalty as other murderers. In the Northern Territory, the penalty for murder is life imprisonment. People convicted of trafficking in hard drugs are liable to the same penalty, and rightly so. Users will be penalised also but, in most cases, the government can see no point in sending them to prison. We need to be more imaginative than that.

The Territory does not have the same drug problem as does the United States but we can certainly learn something from its experience. Recently, Congress recently enacted major new drug laws and some of its initiatives include the following.

The imposition of civil penalties on drug users. That means that the prosecution has to prove its case on the civil standard of proof only - that is, the balance of probabilities - rather than the criminal standard of beyond reasonable doubt. I would add that the US legislation gives a defendant the option of trial by jury where the standard of proof is, of course, the criminal standard.

Making special provision for one-time personal-use offenders to have their record of conviction erased if the offender remains drug-free for 3 years.

Making special provision for persons convicted of drug-related offences to undergo tests as a condition of parole and before any record of conviction is erased.

Introducing separate and especially tough penalties for either possessing or supplying crack.

Making special provision for drug-related offences committed in prison.

Providing harsher penalties for drug-related crimes of violence and multiple drug trafficking offenders.

Creating specific offences in relation to the use of traps or other dangerous devices designed to protect or keep people away from illegal drop crops.

Making special provision for supplying firearms for use in drug-related crimes.

Banning the use of anabolic steroids other than as directed by a doctor.

Offering incentives to provide drug-free workplaces.

Further developing teacher training programs concerning alcohol and drug abuse prevention.

In addition to these measures, Congress has made provision for denying or revoking the passports of people convicted of serious drug offences and denying federal benefits to people convicted of distributing or possessing drugs.

Most of the measures which I have outlined are self-explanatory and I do not propose to expand. I stress that the government has not made any decisions on the options available to it. They are, however, worthy of close and careful consideration. Under existing law, anabolic steroids are available only on prescription. My colleague, the Minister for Health and Community Services, is looking into the matter to see whether there is a need to further tighten up the law. The government agrees that the idea of revoking or denying passports is a good one and we will suggest to the Commonwealth that it be introduced in Australia.

Mr Speaker, there is concern in the community that marijuana and prescription drugs are too freely available in some pubs and clubs. There is no point in pretending that it does not happen. The police and the public are well aware that it does. However, while the government is concerned about this, it is not an easy problem to deal with. We are a small community and members of the police force are all too easily recognised when they go into these establishments. An alarming facet of this problem is that the licensees appear to know what is going on and apparently do nothing to prevent their premises being used for this disgusting trade.

The government is looking at ways of making licensees more responsible for the conduct of people in their premises and it may be that we have to look for other solutions and sanctions to put a stop to this. It is not good enough for licensees to claim that they can do nothing in such situations. That is simply not true. First of all, they have the power to request people whose conduct is offensive to leave. There are not many more offensive actions than trafficking in drugs. Licensees can remove such people from their premises. More importantly, licensees have exactly the same ability - indeed, exactly the same onus of responsibility - as applies to any citizen who witnesses or is aware of a crime taking place: that is, to pick up the telephone and ring the police. It is that simple, Mr Speaker. I will issue the following warning: if licensees do not accept that this is the proper response to drug dealing on their premises, they are very likely to find that the government may no longer believe that they are fit and proper people to hold licences.

The Poisons and Dangerous Drugs Act contains a mixture of provisions. Some deal with public health matters and some with the criminal law. The Criminal Code also deals with drugs. The government needs to ensure that

there is no conflict between the 2 pieces of legislation and we are looking at this at the same time as we are considering the other ideas I have mentioned. Some restructuring of the legislation may be sensible.

There is no doubt that alcohol abuse is our greatest problem in the Territory. 70% of all crime is alcohol-related and alcohol abuse is a trigger for many problems in the community, particularly domestic violence. 20% of our prison population is made up of people convicted of drink-driving offences, and Aboriginal people have a special problem. The government is very concerned about the situation indeed. Evidence of that concern can be found in the Criminal Code and other legislation which addresses alcohol-related crime. However, as honourable members would be aware, alcohol abuse has more to do with social problems and community attitudes than with the criminal law. Accordingly, there is a limit to what legislation can achieve.

Much is being done by way of education and support programs but, obviously, still more needs to be done. In particular, the government recognises the need for further research to be undertaken. It may be that more money may have to be spent on research. If so, it seems appropriate that the liquor industry should contribute to the cost of such research. All members will be aware of the petrol and glue sniffing problem that exists in the Territory, particularly in Aboriginal communities. The government believes that the problem can best be overcome by education rather than the imposition of criminal sanctions. Education campaigns have been in place for some time with encouraging results in some communities and they will be continued and expanded.

Mr Speaker, one of the most serious issues facing us is that of violence in Aboriginal communities. Alcohol abuse is almost always the catalyst. The statistics are disturbing. They show that unacceptably high numbers of Aboriginal women are being seriously assaulted and beaten, almost exclusively by Aboriginal men. I ask that all members of this parliament stand up for and support Aboriginal women. We on this side of the House see the issue in bipartisan terms and the government seeks the support and ideas of members opposite. There are no instant solutions. We must identify and examine the underlying causes of alcohol abuse in Aboriginal communities. Lack of work and boredom are obvious examples but there are also much more complex cultural factors involved. In this context, a research study into the causes and extent of violence against Aboriginal women is about to commence. The study is to be jointly funded by the Northern Territory government and the Criminology Research Council. However, the government believes that Aboriginal people must be more closely involved, both in identifying the underlying causes of their problems and finding and suggesting ways in which the problems could be overcome. Aboriginal communities will need assistance in doing this. In this regard, we believe that Aboriginal councils and elders could usefully consider forming their own special task forces. I will say more about that idea in a wider context shortly.

Another initiative which the police force is already addressing is to encourage more Aboriginal people to join the police force as part of a longer term plan to introduce greater Aboriginal policing in their own communities. We are also examining the idea of developing a system of local council by-laws, for which Aboriginal communities would themselves be responsible, under which the present police aide system could be extended to allow further policing of local communities by Aboriginal people.

I turn now to some particular problems associated with children. The government recognises that there is concern in the community about juvenile crime and delinquency. In particular, there is a feeling that parents ought to take more responsibility for the misdeeds of their children. The government agrees that action must be taken to address this difficult problem. Honourable members would be aware that there is a bill presently before this House, introduced by the member for Barkly. Unfortunately, it does not come close to being a reasonable or viable solution to the problem. The bill has not been researched. It is about 50 years out of date and will achieve absolutely nothing. Basically, it is mere window-dressing designed purely to generate political points.

Blind Freddy could see the difficulty of proving that a person has conducted to the commission of an offence by neglecting to exercise due care or control, but not, apparently, the member for Barkly. Firstly, unless people are habitual readers of the dictionary, they would not even know what 'conducted' meant. Secondly, it is obvious that parents could escape liability by simply saying that it is not possible to supervise children every hour of the day. Thirdly, in those very rare cases where liability could be slotted home to the parents, it is likely to be just those parents who have no money.

The United Kingdom used to have a provision whereby the onus was reversed; that is, the parent or guardian was liable unless the court was satisfied that he or she had not conducted to the commission of the offence. That was repealed in 1984 on the grounds that there had been no clear judicial interpretation of the section and the courts had been reluctant to use it. A new United Kingdom provision provides that, where a child or young person is convicted of an offence for which a fine or costs may be imposed or a compensation order made, it shall be the duty of the court to order that the fine, cost or compensation be paid by the parent or guardian unless either the parent or guardian cannot be found or it would be unreasonable to make an order having regard to the circumstances of the case. That provision has some guts in it and I can inform honourable members that the government is looking at it very carefully to see if it could be adapted to meet the needs of the Territory. In particular, we are looking for more flexibility so that the parent and the juvenile can share responsibility.

The Minister for Health and Community Services has already made a statement concerning child sexual abuse. I need only add that, currently, the Department of Law is examining the need to create new offences which relate specifically to sexual abuse and exploitation of children. In this connection, we are anxious to ensure that any gaps in the law relating to child prostitution and child pornography are filled.

Recent research suggests that older children are much more capable of giving accurate and truthful evidence than has to date been supposed. We are examining very closely the desirability of retaining the current requirement that a child's evidence be corroborated by some other material evidence. However, I stress that this is a very sensitive and difficult area in which the views of the judiciary and the legal profession will be most important. I must point out also that there are difficulties in sustaining a prosecution based purely on the uncorroborated evidence of an adult. Frequently, the matter comes down to a question of the respective credibilities of the accused and the accuser. This is indeed a difficult question to resolve.

We are also examining closely the difficulties faced by children when giving evidence in a formal courtroom atmosphere. Videotaping and closed circuit television systems may provide viable alternatives. Indeed, it may be

that the use of these systems could be expanded to cover the whole process. In this way, initial and other statements could be presented to the court without causing trauma and difficulty to the child. The Northern Territory government sees this as a most important matter. Indeed, the Police Commissioner has already raised it at national level with the National Police Research Unit.

I have already touched on the subject of prostitution. Honourable members will be aware that prostitution per se is not, nor ever has been, an offence in the Northern Territory, either at common law or under statute law. Our criminal law does, however, fasten on the organisation and exploitation of prostitution. There is in force in the Northern Territory an act called the Suppression of Brothels Act of South Australia which dates back to 1907. There are other, more up-to-date laws dealing with procurement, soliciting and living off immoral earnings. I do not think that, to date, prostitution has been regarded as a serious problem in the Territory. However, as a community, we have to recognise that both the number of escort agencies and of women working as prostitutes is increasing. This is probably inevitable given increases in population and tourism. The government is to consider a range of options regarding prostitution. We will probably need to repeal the Suppression of Brothels Act and replace it with new legislation designed to ensure that prostitution does not cause a nuisance, particularly in residential areas. At the same time, we will need to examine the existing laws dealing with procuring, soliciting and living off immoral earnings to ensure that they are adequate to meet present needs.

We are already looking at other problem areas such as intimidation and the need to ensure that under-age girls do not become involved. Our primary concern is, however, to ensure that organised crime does not move in. The idea of licensing prostitutes has been floated on more than one occasion. For a variety of reasons, the government does not support this. Firstly, while most sections of the community would probably agree that prostitution is a fact of life and cannot realistically be outlawed - if we tried, it would probably go underground and cause more problems than we now have - most people still find the activity distasteful. To license prostitutes could be seen as giving the community seal of approval to or even encouraging the activity. The government believes this would be wrong and that such a formalised system would create a real danger of locking women into a situation from which, if anything, we should be trying to help them to escape.

Also, the government believes that licensing prostitutes would be counterproductive from a health safety point of view. No matter how much publicity there was to the contrary and no matter how many warnings were given, the public would still expect compulsory and meaningful health checks to form part of the licensing process. However, any expectation that the system would be safe cannot be fulfilled because some diseases, for example AIDS, do not show up in tests for a considerable time. Licensing prostitutes could lull people into a false sense of security with potentially disastrous results.

Whilst the government does not at present favour the idea of licensing prostitutes for the reasons I have outlined, we recognise the role that police presently play in ensuring that the operators of escort agencies understand the laws governing prostitution in the Territory. Prostitutes are entitled to the protection of the criminal law like everyone else and, whatever happens, we do not want organised crime moving in.

The majority of crime in the Territory is disorganised, not organised. Indeed, contrary to popular opinion, this is the case in nearly all jurisdictions. Nevertheless, from time to time, organised criminal activity does impact on the Northern Territory, as has been clearly evidenced by a number of serious drug apprehensions and seizures in recent years. Therefore, it is vital that we be aware of the problem and properly equipped to deal with it when it does raise its ugly head. Organised crime is highly sophisticated. It uses all sorts of technology to achieve its aims and frequently controls activity in one jurisdiction while operating from another. Almost all other jurisdictions have found it necessary to give the police special powers and equipment to deal with the problem. We in the Territory do not live in a vacuum or in isolation and we must ensure that the Northern Territory Police Force has effective powers and procedures in place.

It is equally important that the Territory does not become an attractive haven for organised criminal activity. Indeed, it was concern about the movement of interstate SP money to the Territory which particularly prompted our move to TAB betting. In recognition of the potential dangers, the Territory government has moved in recent months to introduce strong legislation to combat organised crime. The Crimes (Forfeiture of Proceeds) Act was passed last year. The Unlawful Betting and the Racing and Betting Amendment Bills were passed last week and the Listening Devices Bill is still before this House. However, the government will not become complacent just because we have introduced this legislation. We will continue to use avenues, such as the Standing Committee of Attorneys-General and the various criminal intelligence services around the country, to monitor problems caused by organised crime in Australia and to act appropriately when any loopholes are discovered.

The government has no reason to believe that corruption has taken hold in the Territory but, as with organised crime, it is vitally important to do all we can now to prevent the problem arising in future years. It is important to recognise that corruption can apply to any official and any initiatives must be addressed at combating official corruption in any form. What we have to do is ensure that the right mechanisms are in place to identify and cure the problem before it has a chance to take hold. The government is carefully examining how this can best be done.

I said in my introductory remarks that our criminal justice system must have regard not only to the rights of the accused but also to those of victims of crime. There has long been a strong feeling throughout Australia that insufficient attention is paid to victims' rights and that, by comparison, too much concern is shown for the welfare of offenders. It is worth examining the situation from the victims' point of view - and remember that they may be recovering from physical and mental trauma as well as suffering severe financial loss. They have to give a statement, indeed sometimes several statements, to the police and perhaps to various lawyers. They know that they will probably have to go to court, perhaps on more than 1 occasion, but they are not always told when. There may be adjournments and delays. When they do eventually get to court, victims have to face their attackers and relive their experiences, which can often be traumatic. They are challenged as to whether they are telling the truth and no one in the system tells them what will happen to the offender or how they can recover their loss. In short, it is no wonder that some victims think that they are the ones on trial.

I believe the balance is wrong at the moment and the government must address the problem. Firstly, I foreshadow introducing legislation in the May sittings to increase the amount of compensation payable to victims under the

Crimes Compensation Act and to set up a victims' assistance fund. The fund will consist of moneys raised from a variety of sources including a levy raised on all offenders. Our objective is to increase the amount of compensation payable to victims once the fund has been established and we see just how much money is coming in. Secondly, as part of the review of sentencing policy, the government intends to place much more emphasis on reparation and restitution. I will say more about that shortly. Thirdly, the government will examine ways of ensuring that the criminal justice system takes more account of victims' rights and difficulties.

Victim impact statements have been introduced in some states and the government believes that this may be a good way of achieving our objectives. However, we must be careful to ensure that such statements are dealt with sensitively and are not taken by the same people who are responsible for pre-sentence reports on offenders. This happens in some places and causes an obvious conflict of interest. The statements would give us a much better idea of victims' real problems and difficulties and could be put before the court at the sentencing stage. In this way, the consequences of the crime for the victim could be better brought home to both the offender and the court. They would also enable the court to adopt a much more positive attitude towards making reparation and restitution orders.

As I mentioned, the government has already started work on a comprehensive review of sentencing policy. A variety of reports on sentencing have recently been completed and among them are reports by the Australian Law Reform Commission and the Victorian Sentencing Committee. Thus, a wealth of new ideas and material is available to us. In general terms, the government believes that people who commit crimes of violence, traffic in drugs or continually have disregard for other people's property should go to prison for substantial terms.

In most other cases, the government believes that imprisonment should be the penalty of last resort. In other words, a person should not be sent to prison unless there is no alternative. It should be noted that this is one of the issues highlighted by Commissioner Muirhead in his first report from the Royal Commission into Aboriginal Deaths in Custody. As the Chief Minister pointed out in this House last week, the Northern Territory has taken a progressive attitude to this question and in fact has been moving down this path for several years. There are 2 basic reasons for adopting this approach. Firstly, imprisonment is negative and can be destructive. All too often a young person turns to a life of crime after having mixed with hardened criminals. Secondly, the cost of imprisonment is enormous. Honourable members would be aware that it is already the policy of this government to give to the courts as wide a range of sentencing options as possible. We are the pioneers of home detention orders and will further develop this and other schemes over the next couple of years.

If we are to be successful in our policy of keeping as many people as possible out of prison, we must ensure that the range and severity of non-custodial sanctions are adequate. It is no use imposing fines on people who have no money and then sending them to prison at great expense to the taxpayer if they do not pay up. It is much more sensible to make them do community work or, where possible, do something useful for their victims.

Of course, the Northern Territory already leads Australia in alternatives to fine default imprisonment. Any person fined in the Territory may apply to carry out community service instead of paying the fine and, importantly, the ability to undertake community service work in Aboriginal communities is being

continually extended. However, in addition to community service, more emphasis needs to be placed on reparation and restitution, and we are looking at new ways of achieving this objective. The government will also examine what the Australian Law Reform Commission calls 'truth in sentencing'. As the commission says, and I quote:

Under the present system, a substantial sentence of imprisonment may be imposed by the court, yet it is generally understood that the offender will be released on parole long before the period is served. Remissions further reduce this period. This has led to public disquiet and the procedure having been judicially described as an 'elaborate charade'.

This situation is of particular concern to this government in relation to violent crime. I think the community believes, and rightly so, that criminals convicted of crimes such as murder or serious aggravated assault should be removed from society for a long time. The Territory government has not followed the lead of some states which have introduced time limits on penalties for crimes such as murder, nor will we. In the Northern Territory, the penalty for murder is life imprisonment. I am of the opinion that, in particularly severe cases, the effect of this sentence should be exactly what it says: imprisonment for life, or at least so close as to ensure the offender is no longer a threat to the community when he or she is eventually released. The government concedes that, with most jail sentences, some form of remission is essential to prison discipline, but I think most honourable members would agree that the present automatic one-third remission is a farce; it is rarely, if ever, earned. All penalties will need to be reviewed and we must devise a better system of ensuring that there is consistency in applying those penalties.

For those who are sent to prison, the government intends to adopt a more cost-effective and meaningful approach. Projects such as Beatrice Hill and the Alice Springs Mobile Work Camps, where prisoners can, in a minimum security environment, carry out useful work in national parks and other areas, are to be expanded. The government would also like to provide more incentives for prisoners to be productive. We will consult with employees and unions to see if there are ways of giving prisoners paid work. If suitable work can be found - and I stress that the government does not want to take jobs away from honest civilians - prisoners may earn, say, \$40 per week. Of such an amount, \$10 would go to the prisoner, \$10 would be compulsorily saved for release, and \$20 would go to making restitution to victims and towards the cost of keeping the prisoner in jail. The amount earned might be based on productivity; that is, the harder you work the more you earn. It may also be possible to link such a system to earning remission. The Minister for Health and Community Services will be closely examining prison industries and prisoner work programs over the coming year.

Criminal justice professionals now admit freely that we cannot hope to combat crime without help from the community. In short, we need to place more emphasis on crime prevention. The Neighbourhood Watch Scheme is one initiative. It is too soon to say what impact it has had, but early indications are that the scheme is probably helping to reduce the crime rate and we are monitoring that situation very closely. However, we need to do even more to involve the community in the fight against crime and the government has decided, therefore, to form a committee to fight crime. The committee is to be comprised of a wide cross-section of the community. The government will be represented at high level. The committee will be chaired by myself as the Attorney-General and the Commissioner of Police will be a

member. The government believes that such a committee could be a most useful springboard to get ordinary citizens more involved in crime prevention issues, to get their views and advice on a wide range of subjects, and to listen to their concerns. It is intended that the committee will be based in Darwin.

Once formed, the committee could itself examine and make recommendations on the formation of sub-branches in Darwin, Alice Springs, Katherine, Tennant Creek, Gove and, most importantly, in Aboriginal communities. It is possible that the special Aboriginal task forces to which I referred earlier in this statement could become sub-branches of the Fight Crime Committee.

Meaningful statistics are crucial to the success of any crime prevention program. A variety of departments keep statistics, most of which are fed into the Australian Bureau of Statistics national computers. There are some problems of classification which are being looked at at a national level and hopefully a better system will soon emerge. It is also extremely important to have available sufficient local expertise to analyse and interpret crime statistics. There is a lack of such expertise in the Territory and it is something the government must address.

Mr Speaker, lastly, I turn to police powers of detention, a subject on which emotions ran high early last year, as a result of which the government set up a committee of review. My information is that the investigative detention powers are not only operating well but that they have proven, in the most dramatic way, the need for such powers. They have resulted in greater precision and accountability in police investigation than has ever been the case in the past. I recognise the Police Powers Review Committee is only now beginning to meet in order to look in detail at the operation of the legislation. I am able to advise that police are already well advanced in an audio and videotaping pilot program. Taped interviews in one of these 2 forms are now more widely used than ever before. Specially equipped video interview rooms are presently being constructed in the extension to the Alice Springs Police Station and in new police facilities at Katherine and Groote Eylandt. Development of similar rooms is being considered for other locations including Darwin, of course, where existing interview rooms have already been modified.

As part of its responsibilities, the review committee will be considering police recommendations for specific powers to cover such issues as road blocks and evacuations, as well as a range of other procedural matters which are essential to efficient and effective investigation, but are probably not catered for in any legislation.

I do not propose to sum up at length. I said at the beginning of this statement that the challenge we face is to strike a proper balance between the preservation of those rights of the individual and the freedoms that have been fought for and won over hundreds of years while, at the same time, meeting the needs of a modern society. I have outlined some of the problems which confront us and the way we intend to tackle them. No issue has been shirked and none will be consigned to the too-hard basket. With the leadership of this government and the support of the community, I have no doubt we can move forward and design an even better criminal justice system than the one we have.

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

Mr BELL (MacDonnell): Mr Deputy Speaker, the remarkable aspect of this particular statement is that there seems to be no reason for it. I thank the Attorney-General for giving me a copy of the statement late last evening. I

have studied it quite carefully and the fact is that, to make the most charitable assessment possible, it could be referred to as a potpourri of ideas which makes no substantial announcements. If one were taking a more hard-nosed line, one would say that it is a hodgepodge that leads nowhere.

Mr Manzie: You are always complaining that you want to know what we are doing. It lays out what will be happening in the next couple of years. Obviously you are not interested. This is the last time I will provide you with such information.

Mr BELL: Mr Deputy Speaker, for the Attorney-General's benefit, I reiterate my thanks for his cooperation. I am sure, however, that he would be surprised if I were to say that there were no substantial comments to be made about the statement, and that there were no serious issues that it had failed to address.

For a start, let me lay out a Labor initiative. I refer to the references to the Criminal Code on the first page of the statement. These 2 sentences are absolutely extraordinary and I will take the trouble of reading them once again into the Parliamentary Record. The Attorney-General told us:

Following self-government, the Territory had the opportunity to set up a complete and modern system of criminal justice without the weights of obsolete common law and statutes which drag down the states. This government took that opportunity and produced the Northern Territory Criminal Code, a complete package of criminal legislation which was - and still is - regarded as the best and most innovative in Australia.

I will have a little wager with the Attorney-General. If he can find a single jurist who will agree with that absurd overblown statement, with the exception of Paul Everingham and the Director of Public Prosecutions in Queensland who drafted the Criminal Code, I will take him out to lunch.

Those 2 sentences really are absurd. Let us just look at them in some detail. 'The Territory had the opportunity to set up a complete and modern system of criminal justice without the weights of obsolete common law ...'. Mr Deputy Speaker, do you recall the Australia Card debate, in which this same Attorney-General extolled the virtues of the common law as a bulwark against attacks on personal freedoms?

Mr Manzie: Not the obsolete common law but the relevant common law.

Mr BELL: I will have to give the Attorney-General a few lessons in interjecting, Mr Deputy Speaker. He does it in such a sotto voce fashion that it is almost impossible to hear him, which is probably fortunate for him.

The Attorney-General referred to the 'weights of obsolete common law and statutes which drag down the states'. Presumably that does not apply to Western Australia and Queensland, which have codes. Let me advise the Attorney-General that the level of dissatisfaction amongst the legal fraternity in relation to the operation of the Criminal Code is such that it would be a progressive move for any government - and a Territory Labor government will certainly do this - to investigate the repeal of the Criminal Code and its replacement with the common law and a criminal consolidation act of some sort. The Attorney-General should be advised that criminal trials ...

Mr Manzie: Tell us about your attitude towards crime in the community. We have not heard it yet.

Mr BELL: Mr Deputy Speaker, I listened to the Attorney-General's statement. I listened to him droning on for about 45 minutes and I did not interject. I am now analysing the first part of his statement and he wants me to ignore it. He knows that it is a flawed part of the document. He knows that it is absolute nonsense. He wants to get on to the good, solid law and order stuff. His approach is coloured, to say the least. In contrast with his absurd overblown statements about the Criminal Code, my response to the Attorney-General's statement will be measured, logical, reasoned and well-understood, even by him.

As I was saying, a Territory Labor government will investigate the repeal of the Criminal Code. With the exception of the 2 gentlemen I mentioned, the Attorney-General would not be able to find a jurist who would agree with his assessment of the Criminal Code. I might also say here that, when the annals are written, the code will not be regarded as Paul Everingham's finest achievement. I will certainly investigate its repeal.

Mr Deputy Speaker, I picked up the Attorney-General's comment about trained Justices of the Peace. During a recent visit to Melbourne, I took the trouble to avail myself of a briefing from officers of the Attorney-General's Department in that state, in respect of some innovations which ought to be considered in the context of this statement. Unfortunately, I do not have my notes with me. I understand, however, that a number of steps have been taken in Victoria as part of the process of assisting the courts to work more efficiently and so reduce delays. One initiative which has contributed to reducing the numbers of people who are coming before the courts is the setting up of neighbourhood resolution centres. I think that these centres are now at a pilot stage. The Attorney-General may have heard of this initiative through the Standing Committee of Attorneys-General. The intention is to decrease the load on magistrates by exploring other mechanisms for resolving disputes. I believe that such initiatives ought to be looked at and I commend them to the Attorney-General.

At page 7 of his statement, in discussing ways to improve the criminal justice system in remote areas, the Attorney-General referred to the possible use of trained Justices of the Peace to deal with some minor matters. Although, under the Justices Act, Justices of the Peace have the power to deal with summary offences and so on, this rarely happens. I believe that such a system operates much more comprehensively in a vast state like Western Australia and I understand that there are different schools of thought regarding its effectiveness. On one hand, it has appeal because it brings justice closer to the people. However, if the quality of judgments does not provide just settlements for those involved - and I understand that there have been concerns about that in Western Australia - we need to be very careful before we head in that direction.

I should mention in passing, in the general context of the workings of the lower courts, that we have a bill before us which would introduce a \$40 000 limit in that jurisdiction. I believe that that is a constructive approach. I believe the limit is high in comparison with the states. For example, the current limit in Victoria is \$20 000, although some consideration has been given to introducing a \$40 000 limit. I know that small businesses often experience serious hardship in civil cases, including collection of debts, which frequently involve sums which exceed the current jurisdictional limit. Such small businesses are unable to afford the Supreme Court costs

necessitated by the relatively low jurisdictional limit in the magistrates courts.

Page after page of the Attorney-General's statement refers to particular problems we face in the Territory. The Attorney-General has told us that problems connected with alcohol and drugs are very high on the list. That is absolutely right and I would be the last person to disagree. They are huge problems and I have spoken about them at length. There is, however, a crucial point which the Attorney-General, like his colleague the Minister for Health and Community Services, fails to appreciate. The plain fact of the matter is that we ought not merely distinguish between drugs that are legal and drugs that are illegal. Let me put it this way, and I hope that the Attorney-General is listening to me. There is a tripartite distinction, a 3-way distinction. Obviously, we are going through a painful process with the Poisons and Dangerous Drugs Amendment Bill and this is a very sensitive area for any government. The fact is, however, that the 2-way distinction between the legal and the illegal is far too simplistic.

We must distinguish between several categories of drugs. The first is those drugs which are dangerous when they are abused but legal, such as alcohol and tobacco. The second is those which are dangerous under any circumstances, such as heroin and crack, and which are, quite rightly, illegal. The third is drugs which are dangerous when they are abused and are illegal, such as marijuana. In terms of biological effect, drugs in the third category are not in the same street as heroin. As policy makers, it is about time we took a responsible stance in this regard. Before the Attorney-General and the Minister for Health and Community Services get to their feet and try to tell me that I am supporting illegal drugs users and ...

Mr Manzie: You cannot have it both ways.

Mr BELL: ... that the member for MacDonnell is going to end civilisation as we know it, I will tell them that that is a cheap trick. We have seen it today in the Attorney-General's statement and we saw it from the Minister for Health and Community Services on television last week, when he stated that a single joint at a party inevitably leads to involvement in the covert world of drugs and, ultimately, to death. That is exactly what will occur if, as policy makers, we lie to kids. If we do not give them the facts about drugs and if we tell them that smoking marijuana is in the same street as shooting up heroin, they will soon say: 'Hang on. They were lying to us about that. They must have been lying about shooting up heroin or using crack as well'.

I believe that we must take a responsible attitude, which means being honest with our kids. Mr Deputy Speaker, I do not like it when my kids come home having had a couple of cigarettes. I let them know that I do not like it. If they came home, and they had been smoking marijuana, I would be even more concerned. If they came home, and the chances are that they would not, and they had been shooting up heroin, I would be destroyed. I would be unable to do my job. I would be consumed by the realisation of the possibility that they might be dead within months or a couple of years. I think one of the toughest things in life would be to be predeceased by one's own children. You will know, Mr Deputy Speaker, that there have been parliamentarians in other places, senior parliamentarians in the Australian government, to whom that has happened. Given the peripatetic lifestyle which politicians are forced to adopt, such things are a distinct possibility. When we have a chance to talk about such matters, we should do so sensibly and tell it to our kids the way it is. I am not advocating the legalisation of marijuana use but I believe that we should at least tell our kids the truth and not try to tell them that marijuana is the same as drugs which are positively lethal.

I will certainly be giving further positive consideration to the legislative initiatives in the United States which the Attorney-General referred to in his statement. Some of those appear to be worthy of consideration but I believe a sensible attitude needs to be adopted rather than simply using drug policy as a platform for beating a law-and-order drum. Such an approach raises serious concerns.

At page 15 of the Attorney-General's statement, we find the following doozey: 'It is said that some governments have run out of ideas and that their only response to drug problems is simply to increase penalties across the board and hope for the best'. The fact of the matter is that, in respect of needle exchange, that is precisely what this government has done. It has created a smokescreen with the amendments to the Poisons and Dangerous Drugs Act in order to prevent people really understanding what the needle exchange legislation is about. We will debate that issue tomorrow. The Attorney-General mentioned the relationship between the Poisons and Dangerous Drugs Act and the Criminal Code. He said that some restructuring of the legislation may be sensible. I am not sure what he means by 'restructuring'. He might like to be more specific. One of the problems with this statement is that it is very short on specifics.

The Attorney-General referred only briefly to the subject of child abuse and essentially did not go beyond the comments which I made in the debate last week in relation to the evidence amendment. I do not propose to comment further on that.

The Attorney-General made some comments about prostitution. Really, the only thing missing from this particular statement is rock'n'roll. We certainly had the sex and drugs.

Mrs Padgham-Purich: What about male prostitutes?

Mr BELL: I am sure you will be able to fill that lacuna.

Essentially, the Attorney-General seemed to be saying that, apart from a few headline-grabbing measures, the status quo would maintain. He said that prostitution was alive and well, and this needs to be emphasised. He said: 'Whilst the government does not at present favour the idea of licensing prostitutes for the reasons I have outlined, we recognise the role that police presently play in ensuring that the operators of escort agencies understand the laws governing prostitution in the Territory'. I think that that frank admission that escort agencies are involved in prostitution will produce an interesting public reaction. I have spoken in this Assembly before about my abhorrence of those escort agency advertisements which appear in both the NT News and the Centralian Advocate. I understand that the member for Barkly has kept Tennant Creek innocent in that regard ...

Mr Tuxworth: Very pure.

Mr BELL: Very pure - whereas Katherine has not been quite so blessed. I must admit that I find it rather sickening to see escort agency advertisements in the Centralian Advocate right next to my kids' sporting results on page 36.

The Attorney-General said also that 'while most sections of the community would probably agree that prostitution is a fact of life and cannot realistically be outlawed', most people 'still find the activity distasteful'. I am not sure whether the activity is distasteful or not but the public advertisement certainly is.

Of course, there was an inherent contradiction in the Attorney-General's approach. He pointed out that prostitution per se is not illegal and went on to say that aspects of its organisation, particularly problem areas involving exploitation, were subject to the laws of the Territory. Together with his comment about the role which police presently play in ensuring that the operators of escort agencies understand the laws governing prostitution in the Territory, I found that a little strange. I understand that at least one of the states has recently passed legislation relating to prostitution. I note the Attorney-General's refusal to consider such a possibility, but I remind him that he has specifically recognised the role presently played by the police in ensuring that the operators of escort agencies understand the laws governing prostitution in the Territory whilst stating that he will not legalise prostitution. I would ring a warning bell, Mr Deputy Speaker. I want it to be absolutely clear than I am making no allegations about the police. I have every confidence in our police force. We have a small police force in a small place, and the possibilities of corruption are limited. However, where police have to work in such a context, we leave the way open for a Queensland situation to occur.

Mr Coulter: Oh rubbish! Absolute garbage!

Mr BELL: Mr Deputy Speaker, I hear the interjections from the Leader of Government Business. I remind him of the Fitzgerald Commission and what has come out during the course of its inquiries.

Mr Coulter: And what has that to do with the Northern Territory?

Mr BELL: For the benefit of the Leader of Government Business, I will reiterate. I believe that, in a situation such as that referred to by the Attorney-General, there is an opportunity for corruption. I did not say that corruption exists. Corruption did not exist in the Queensland Police Force 20 or 25 years ago, certainly not on the scale that developed in the last years of the Bjelke-Petersen government. There was a veneer of respectability.

Mr Manzie: They were finding that there was no problem. They did not have any prostitutes or escorts or brothels. They did not exist, if you remember rightly. Dear, oh dear!

Mr BELL: All I am saying is that, if the Attorney-General is ...

Mr Manzie: Read what I said at page 28. It is clear.

Mr BELL: I read well and truly what the Attorney-General said. All I am saying, Mr Deputy Speaker ...

Mr Manzie: Come on, you are waffling.

Mr BELL: Are you going to give me an extension of time? It is a bit hard when you interject like that and do not let me get a word in.

Mr DEPUTY SPEAKER: Order! The honourable member will address the Chair and other members will remain silent.

Mr BELL: I would point out for the benefit of the Attorney-General, Mr Deputy Speaker, that if he will not grant me an extension of time, I would appreciate it if he would shut up and not interject. I am not endeavouring to create an argument but I think that the issue needs to be addressed. I want to refer to the police powers debate ...

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

Mr EDE (Stuart): Mr Deputy Speaker, I move that the member for MacDonnell be granted an extension of time.

Motion agreed to.

Mr BELL: The Attorney-General had the good grace at least to say that the police powers committee has taken a heck of a long time to start meeting. As far as I am concerned, the government deserves the strongest possible condemnation for allowing so much time to elapse before that vital committee commenced its deliberations on legislation which even the government agreed was highly controversial. I believe that was outrageous.

My final comment is in relation to the Criminal Compensation Act. The crocodile tears that the Attorney-General was weeping over victims of crime are belied by his actions in terms of granting criminal compensation. Given that, in this statement, the Attorney-General has accepted that the levels of criminal compensation are too low, one would imagine that he has some sympathy for the victims of violent crime. I would like to draw the Attorney-General's attention to a case which he will be very familiar with because it has been before him for months. I refer to the case of Mr Daryl Evans, who was the victim of a violent attack by his brother.

Mr MANZIE: A point of order, Mr Deputy Speaker! I believe this matter is presently going through the legal processes. I would remind the honourable member opposite that matters which are the subject of legal proceedings are not appropriate matters for comment in this House. I base that statement on advice which I have received today, which indicates that the matter is or is about to be under consideration in a legal sense. It is inappropriate that the member for MacDonnell be permitted to make the sort of ill-informed comments for which he is famous.

Mr BELL: Mr Deputy Speaker, my latest advice - and it was not received today - is that that particular case may be appealed. I accept the Attorney-General's word that the action has now commenced and the case is again before the courts. I will make no further comment on that particular case except to point out that the latest information that I had when I rose to speak this evening was that the parties involved were considering appeal but the appeal had yet to be made.

Mr TUXWORTH: Mr Deputy Speaker, I seek a clarification from the Attorney-General in relation to the remarks which he made whilst speaking to the point of order. He said that the matter was sub judice and was going through a legal process.

Mr Coulter: You cannot ask a question.

Mr TUXWORTH: He has raised a point of order. Mr Deputy Speaker, the Attorney-General rose and said that the matter was sub judice and that he believed that it was going through a legal process. According to the practice of this House, that would make it inappropriate for the honourable member to continue his remarks about that matter. The Attorney-General went on to say that, if the matter is not already the subject of legal processes, it is about to be. Mr Deputy Speaker, either it is or it is not. If it is, can we have that confirmed? If it is not and is about to be, what does that mean: today, tomorrow, next month, never? What is the situation?

Mr MANZIE: Mr Deputy Speaker, the matter was brought to my attention earlier today. I cannot tell you when it is to occur but I believe there is to be an appeal process. I do not know whether it has actually commenced or whether it is simply intended to commence. Whether it starts tomorrow or next week, it is all part and parcel of a single set of processes which originated in a court of law and a hearing.

Obviously, any comments made by the member for MacDonnell or by myself in rebuttal are arguments which are likely to be considered by the court. The court will have the ultimate power to decide the issue even if parliament debates it now. However, the practice of this parliament is that, when a matter is before the courts, whether it is on appeal or is moving to appeal or is in hearing, it is not considered a proper matter for discussion. When the matter has been concluded in the courts of law, it is appropriate for the pros and the cons to be debated in this House. Until the matter is decided, it is totally inappropriate that it be discussed here, and the Westminster system has recognised that.

Mr TUXWORTH: Mr Deputy Speaker, I accept the convention that we do not enter into discussion in this House about matters which are sub judice. The Attorney-General said that he thinks the matter is sub judice or will be very soon. We cannot determine whether or not it is appropriate to discuss a matter in this House on the basis that the Attorney-General believes that it will be sub judice one day. I ask the Attorney-General whether the matter is the subject of a legal process or not. It is as simple as that.

Mr DEPUTY SPEAKER: Honourable members, I have listened to the debate and I believe that the best course of action is that the House does not debate the topic. My ruling is that there is a point of order. I appreciate the comment of the member for MacDonnell that that is the best course of action.

Mr BELL: Mr Deputy Speaker, let me make some general comments about the operation of the Crimes Compensation Act without referring to any specific cases. Crime statistics indicate that most violent crimes occur between parties who are known to each other. If criminal compensation is to be denied because there is a relationship between offender and victim, I believe that is inherently unjust. I think that those problems can be further compounded. When the Crimes Compensation Act was brought into law here, there was debate in relation to the matter of offences committed by persons without means, where there is a justifiable claim for compensation on the part of the victim. I will restrict myself to those few comments and I will await the outcome of that particular case.

In concluding, I point out that there are significant areas of this statement in which I believe that the Attorney-General has sought cheap publicity at the expense of responsible public administration. His references to the Criminal Code are absurd. His attitude towards the relationship between drugs and the law contains some elements of sheer dishonesty. The remainder of the statement displayed very little initiative and, in my view, it was not worth the 43 pages.

Debate adjourned.

MATTER OF PUBLIC IMPORTANCE
Trade Development Zone

Mr DEPUTY SPEAKER: Honourable members, Mr Speaker has received the following letter from the Leader of the Opposition:

Dear Mr Speaker,

Pursuant to standing order 94, I propose for discussion as a definite matter of public importance the following: the need to recognise the state of the TDZ and to take the necessary steps to ensure - (1) removal of political interference in its operations; (2) private sector management; (3) attraction of a major firm to act as flagship of the zone; and (4) a 2-year performance deadline.

Yours sincerely,
Terry Smith MLA.

Is the proposed discussion supported? It is supported.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, in deference to the high blood pressure recorded by the Deputy Chief Minister, I do not intend to berate him because I would hate to worsen his condition.

It is today's worst kept secret that, at 12 o'clock tonight - I do not know why at that hour - the minister responsible for the Trade Development Zone is expected to announce a new investment in the zone.

Mr Coulter: You have got it wrong again.

Mr SMITH: It is today's worst kept secret that he will announce that the Hong Kong-based Hengyang company will expand its present operation. Of course, that is consistent with the second stage of its business plan which had been lodged with the authority at about this time last year. Let me make it clear that the news, which is to be formally released by the minister, is to be welcomed. However, the fact that the minister should regard the achievement of a routine business plan as a major achievement is instructive. What Hengyang is doing is no more and no less than following through with its original proposal. That this should provoke such euphoria on the government benches serves to illustrate our point about the zone. That euphoria should be tempered by the following considerations: the impact it will have on the local economy and the long-term implications for the Territory's economic restructuring.

I want to make it clear, and I will come to this point later, that the Hengyang company does not operate in the Trade Development Zone because of any real, comparative economic advantage. It is here because its corporate home cannot achieve further access for its products to markets in the US and the European Economic Community because of the import quotas which apply there. Profitability is predicated on those quotas. The problem is that, should those quotas be erased or varied by political or bureaucratic action, the viability of the company's operations here will be curtailed. That is a longer-term concern, and it is a concern that I want to come back to.

The Trade Development Zone, started in 1984 by the minister responsible at that time, presently the member for Casuarina, is a good idea gone bad. Unfortunately, its record is far from laudable. A majority of firms that have taken up residence in the zone so far have gone out backwards. Largely because of that and because of the actions and the attitudes of the honourable minister, the zone has lost the confidence of the business community. If the zone is to work, it needs to be rescued. That is the subject of this MPI: what needs to be done to pull the zone together, to pull it out of its present disarray and to pull it out of the disrespect in which it is held by the Darwin and Northern Territory business community. As is well known now, the

Labor Party has withdrawn its unconditional support for the zone and has stated that its support for the zone depends upon a number of key factors. I will now outline those factors.

The first is the removal of political interference in the zone.

Mr Dondas: Where is the political interference?

Mr SMITH: The member for Casuarina started the political interference in the zone. When he first had responsibility for the zone, he said some outrageous things, such as that, in its first 12 months, 18 firms would be operating in the zone and employing 500 people. Of course, that unfortunate precedent established by the member for Casuarina has been followed by subsequent responsible ministers, particularly the present minister.

Let us look at his track record. First, he forced the Territory Insurance Office and the Trade Development Zone Authority to take Hungerford Refrigeration into the zone. We all know what an absolute disaster that was. The extent of the disaster was that \$1.5m of TIO investment money was written off. Secondly, in an effort to cover up the tracks for Hungerford, he forced the Trade Development Zone to take in Thermal Air and Koldpak. He allowed them to compete with local businesses whilst being protected by the Trade Development Zone. This minister has an appalling record in terms of the development of the Trade Development Zone. He has used it consistently for political purposes and we almost saw another example of the boy in the lolly shop this morning in question time, over the Trade Development Zone. Political interference has to stop. The zone must be allowed to operate on its merits.

The second part of the rescue package is that we have to bring in management which has a private sector orientation. It is a fact that the same person is both the chairman and the chief executive of that organisation, which is a business enterprise. With no disrespect to that person, he is a long-term public servant. Often, public servants are not trained to make good commercial, private-enterprise decisions. The bottom line of the Trade Development Zone is that, whether it is run by the government or not, it is operating in a private enterprise environment. It is about attracting businesses into the Territory against competition from the rest of Asia and indeed, in a real sense, from the rest of the world.

If we look at the track record of the Trade Development Zone, it has a good history of initial contacts but a poor history of follow-through. The conversion rate from initial contacts into the follow-through is not good. One of the complaints to be heard from people who have had a close involvement with the zone is that there is not, and has never been, highly-skilled marketing expertise within the zone. Such expertise can come only through the employment of highly-skilled people from the private sector, supervised and directed by people who are familiar with private enterprise.

In order to make the zone work, we need not only to establish firms in the zone but to establish the right firms in the zone. We need firms in the zone that would succeed commercially in Darwin anyway. We need firms that will build links into the local community, that will buy products and services from existing Territory business as well as creating spin-offs in the form of new businesses either within the zone itself or outside the zone, and firms that add to the quality, reputation and status of the Territory business community. That is not happening and, in my view, that says something about the lack of private enterprise expertise in the management of the zone. We must make it

very clear what we are after and we must go all out for it rather than taking the shopping-store approach that has been adopted so far.

At present, because of what has happened in the zone, its management is based on a degree of distrust and suspicion which verges on paranoia at times. For example, it is not fitting for senior management of the Trade Development Zone to be taking out lawsuits against our local newspaper and a former board member. That is doing nothing for the credibility of the zone ...

Mr Coulter: I would be careful in case he decides to take one out against you. That is what I would be worrying about.

Mr SMITH: He is welcome to take me on if he wants to add me to the list. It is not appropriate, and I have no hesitation in telling him so as he sits there smiling behind the glass cage. I will say this as simply as I can. The zone will work to its full extent only when we have experienced, highly-competent, highly-skilled private enterprise management heading it up.

The third element that the zone needs to restore its credibility is what members on this side of the House call a major flagship industry.

Mr Palmer: Something like the Victorian Economic Development Commission.

Mr SMITH: For the economics illiterates opposite, including the member for Karama, I will spell out what I mean by a major flagship industry. To restore its credibility, we need in the zone a firm that has an excellent international reputation, a major firm that is able to build linkages into the local community and, as I said earlier, a firm that has the capacity to generate economic activity both in the zone and outside it. Such a firm would have the solid international standing that would make Australian firms keen to supply goods and services as well as actively considering moving to the zone themselves to take advantage of the goods being offered. We need firms that will buy the output of other Territory enterprises, that will create demand for Territory services and generally increase the welfare of Territorians. Unfortunately, that is where we are falling down at present, even with the expanded Hengyang production.

What, essentially, do we get out of it? We get a number of jobs, and that is good. We get very little economic throughput into the local economy. No links are being created into the local economy and no local goods are being supplied for Hengyang's manufacturing activity. As I understand it, we even have the ridiculous situation where the majority of the salaries of the guest workers are not paid to them here but in China. That may be a short-term palliative to get the zone off the ground but it is certainly not the base for a sound long-term future.

Mr Palmer: Who is this company?

Mr Coulter: What is the name of the company that you are going to bring in?

Mr SMITH: I do not know. What I am saying ...

Mr Coulter: Fantasy land.

Mr SMITH: What is more to the point is, Mr Deputy Speaker, that the members opposite do not know either.

What I am saying is this. Labor Party policy on the Trade Development Zone is to give it 2 years to find such a company, a flagship company that can restore the credibility of the zone in the eyes of Territorians, that can provide economic opportunities to existing and potential future businesses. This sinkhole that we are presently in with the Trade Development Zone cannot go on for ever.

Mr Dale: You think you are in a sinkhole because of the smell around you.

Mr DEPUTY SPEAKER: Order!

Mr SMITH: We cannot keep on sending good money after bad. We cannot get our \$30m back now and I suspect we never will. However, now that 5 years has elapsed since the establishment of the zone, we should be in a position to put in place cost-recovery targets that will apply to all future expenditures. I would like to ask the honourable minister whether, in fact, he has a cost-recovery target for all future recurrent expenditures and, in the absence of such a target set by the government, I would like to suggest one. We should set a cost recovery target of 30% of the current expenditures by 1 March 1991 and we should say that the target will rise by 10% per annum after that. We should also say that, by 1 March 1991, 2 years away, we will have a flagship industry in place. As I have said, such an industry has to have international standing and, possibly, links with Territory business.

In the Labor Party's view, the failure to achieve those targets is not negotiable. If they are not met, we will not continue to pour money down a sinkhole. The time has come to put the Trade Development Zone operation on notice, to tell the Trade Development Zone operators that they are no longer a milch cow which is not expected to show a return, and to give them some firm guidelines about what we expect and about what targets we have set. Already we have some useful information concerning the desirable directions of the Trade Development Zone and that is contained in the report compiled by Fergus Simpson. I will refer to some of Mr Simpson's comments.

First of all, the preparation of a succinct statement of the zone's corporate mission might help. We still have not seen such a statement, although the Simpson report has been out for 3 or 4 months. Secondly, we are most likely to find a flagship industry in the capital intensive and technologically advanced manufacturing area. Mr Simpson recommended that we concentrate on those areas and I agree with him. Thirdly, we have to build up the technical and managerial skills of the work force around Darwin, through local training and overseas head-hunting. Fourthly, we need to build links with engineering and testing institutions in other parts of Australia. Perhaps because he is based there, Fergus Simpson suggested Adelaide in particular. We need to take a very careful look at export opportunities for existing Australian manufacturers and to see whether they can be fitted into the zone. Also, Simpson talks about the rationalisation and consolidation of marketing functions and how they need to be put into the hands of high-powered private enterprise people.

Finally, and most importantly for the local business community, we need a set of ground rules which members of that community understand, dealing with the operations of the zone and how it is to impact on them. Those ground rules would include a clear statement of the criteria for eligibility to operate in the zone, including the degree to which zone firms can access Darwin markets already serviced by Darwin suppliers. That, of course, is what has done the most damage: the perception that firms in the zone have been competing directly against local businesses operating without concessions. If

the government learns nothing else from this debate, it should take that on board. It must advise the business community of the Northern Territory of the broad guidelines for entry into the zone and the broad guidelines for operation in the zone.

The Labor Party's view of the Trade Development Zone is that it has to be given a new commercial charter. It has to operate under private sector conditions. It has to compete, without the restrictions of government, on a private enterprise basis. It has to have the authority to employ the best possible people so that it will function as it should.

Mr Perron: How much are you prepared to pay for the best possible people?

Mr SMITH: The amount required to secure their services. I have no hesitation in saying that a Labor government is prepared to pay whatever is necessary to get the best people in the key areas. We know that they will not be hiding behind shelf companies like Marat. The amounts will be made public because there is nothing shameful about paying good money for good people.

Let me conclude, Mr Speaker. The Labor Party's support for the Trade Development Zone is conditional on the government acting on the matters which I have addressed in this speech and, during the next 2 years, we will be watching the government's performance in relation to the zone very closely indeed.

Mr COULTER (Industries and Development): Mr Speaker, the government would welcome the withdrawal of the Leader of the Opposition's support for the Trade Development Zone because I, for one, cannot remember a single occasion on which the opposition has showed bipartisan support for the zone. It came as good news to me when I read in the paper that the Northern Territory Labor Party had ditched the Trade Development Zone. I said: 'You little ripper. You beauty! It is about time'. That is because the Leader of the Opposition does not know what he is talking about and he has simply reinforced that in the last 20 minutes.

I propose to deal swiftly with this matter. There is a strong temptation to launch into an attack on the credibility and the integrity of the Leader of the Opposition because he is indeed vulnerable. On this occasion, however, I will not use the wealth of material that I have which clearly demonstrates his lack of consistency on this issue and draws attention to his conflicting statements. In my view, he has committed the ultimate sin on this issue. He has become boring.

As a counter to the waffle and insipid bleatings of the Leader of the Opposition, I will talk facts and figures and cold hard logic. For a start, let me pre-empt by a matter of a few hours the latest announcement from a Trade Development Zone participant about its continuing growth and development. The Hengyang Group will sign an agreement this week with the Trade Development Zone Authority for a \$6m expansion program in the zone. As a result of that program, by the end of this year, Hengyang will be the second-largest private employer in the Territory after Gemco on Groote Eylandt. In the matter of public importance put forward today by the Leader of the Opposition, he identified, as a target which has to be achieved, the attraction of a major firm to act as a flagship for the zone. Will that do him?

Mr Smith: No.

Mr COULTER: The second-largest private employer in the Territory - bigger than Ranger, bigger than BHP Petroleum, bigger than Western Mining, bigger than the Henry Walker Group, bigger than Woolworths, bigger than Coles, bigger than K Mart - and he says that it will not do.

Mr Smith: Bigger than Nabalco?

Mr Ede: Bigger than Nabalco?

Mr COULTER: Mr Speaker, what an inane question from the 2 members opposite in harmony. We are talking about the second-largest employer. Do they hear that? We are talking about more than 450 jobs. Only Gemco on Groote Eylandt employs more people than that. If members opposite listened, they might learn!

In fact, I feel that we have had a flagship company in the zone right from the start. That company is Darwin International Textiles. This company, an established high-quality knitwear manufacturer in Hong Kong, has paved the way for what is now happening. It is a truly international company with connections throughout the world. It is well versed in international commerce and I pay tribute to it here. It began its zone operation manufacturing 3000 garments a month for export to Europe and the United States and it is now producing 20 000 garments a month. In the process of its growth, Darwin International Textiles has broken the ice and shown Asian manufacturers what can be achieved in Darwin.

On its own admission, the Hong Kong business community looked at Darwin's Trade Development Zone and decided to adopt a wait-and-see attitude. It watched and observed Darwin International Textiles at work, and now members of that community are following it into the zone. The Hengyang expansion is not the end of this story. I am confident that a new participant in the zone will emerge later this year. It is a joint venture from Beijing and Hong Kong and it is a very big venture indeed.

To return to the events of today and this week, officials from the Hengyang joint venture will sign contract documents tomorrow for stages 2 and 3 of its expansion program. That will bring the total investment of the group in the zone to \$7.7m. Stage 2 involves duplication of the existing factory, which exports denim wear to the United States, and stage 3 diversifies into the manufacturing of manchester items and other textiles. Stages 2 and 3 are joint ventures with Shenzhen Province and Sichuan Province in the People's Republic of China.

The Governor of Sichuan Province arrives in Darwin tomorrow to look at the Hengyang operations and to talk to TDZA officers. We are talking about a very senior person indeed and I welcome him to Darwin. He is the governor of 100 million people. That is the sort of person we are bringing into the zone. Is that good enough for the Leader of the Opposition? He hangs his head in shame and so he should. I should explain to honourable members that Governor Zhang's position in China is equivalent to that of a state premier, and he will be meeting the Chief Minister whilst he is in Darwin. I understand, in fact, that the Chief Minister will be hosting a dinner for him tomorrow evening. Perhaps the Leader of the Opposition will seek an audience with the governor to tell him that the Trade Development Zone is a pile of old rubbish.

Mr Smith: No. You are the pile of old rubbish.

Mr COULTER: Perhaps the Leader of the Opposition will tell the governor that he is putting his people's money and efforts into a financial sinkhole and that the whole shooting match is just an absolute disaster. Other members of delegations from Shenzhen and Sichuan have been in Darwin since last Sunday.

When it reaches full production shortly, stage 1 of the Hengyang operation will employ 142 people. The completion of stages 2 and 3 will boost employment levels to almost 450 people. The bulk of employment opportunities will go to Territorians. This will occur in conjunction with unions and the Textile Clothing and Footwear Industry Training Council, and special programs will train local employees to the high skill levels that are required. Mr Speaker, I believe that this satisfactorily dispenses with item 3 of the matter of public importance.

Let me turn now to item 1 - removal of political interference in the TDZ operation. My immediate reaction is: hear, hear! This item is surely directed at the Leader of the Opposition himself. It cannot be directed at me because I am the minister responsible for the operation of the TDZ Authority and all my dealings with the authority have correctly been on that basis. All the political interference has sprung from the Leader of the Opposition. Let us recall the many debates on this issue in this place last year. Let us remember the various incidents in which the Leader of the Opposition initiated phone calls to zone occupants and agents, purporting to be somebody else. Let us remember him trying to enter the Hungerford Refrigeration factory by the back door, hiding below the window level of his car as he entered the zone. We all remember that. Let us recall his statement last year that the TDZ was a financial sinkhole. The only political interference has come from the Leader of the Opposition. We know that. He knows that. Everybody knows that.

I come now to the only point worth debating in this matter today, the question of private management of the zone and the 2-year performance deadline. In theory, it would be admirable to convert the zone totally to private sector management and, indeed, that would be in keeping with the philosophy of this government. However, at this stage of the zone's life, there is absolutely no doubt that it would be an impossible proposition. I have no doubt that the option will become more credible at some stage in the future. The recent calls for privatisation of the zone demonstrate a fundamental lack of knowledge of the workings and operations of the zone, its aims and its critical importance to the Territory's economic future. This is symptomatic of the current state of political debate in the Territory. What happens is that some person in the community tosses out what seems to be a good idea and then the opportunists jump on the bandwagon as it goes rushing past. At no stage do any of the headline-chasers give anything but the most casual thought to what they are saying. For example, the Leader of the Opposition was the first to jump on this particular bandwagon with the member for Barkly fractionally behind him. Neither has stated any sort of case to support their public statements. Obviously, that is because they do not really have the faintest idea of what it means.

Our local newspaper has also taken up the call and I take this opportunity to correct a serious error the newspaper continues to make about the zone. In editorial comment, it has claimed on several occasions that it costs \$30m per year of public funds to run the zone. Honourable members who peruse budget documents will know that that is wildly inaccurate. The correct annual figure for administration and marketing costs is around \$4m. The newspaper has confused the total funds allocated for the necessary infrastructure from

the zone's funding appropriation in 1985-86 to June 1989, which was \$28.5m. That infrastructure cost includes construction of buildings, factories, roads, powerlines and all other facilities which go into the creation of such a development. I should mention at this point that, of approximately \$15m spent on construction and fittings, almost all has been spent in the Territory and less than \$1m has gone interstate.

The infrastructure costs also include marketing promotional costs which naturally have been relatively heavy in the early years of the zone's growth. Without sustained marketing effort, the zone would not have reached the position it is today. The experience of successful trade zones overseas has shown that this heavy marketing and promotional expenditure tapers off as the project gains a self-generating status. Darwin's zone has yet to reach that stage but it is surely getting there. To return directly to the subject of privatisation, I say again that I am not in any way opposed to putting the zone on a sound commercial footing. I am a strong advocate of doing just that and that principle was established at the very first meeting of the TDZA Board. The difference between the government's approach and that of the current opportunists and headline-grabbers can be summed up in 2 words: commercial reality. The TDZ Authority is working towards a specific and realistic timetable endorsed by its board and set after seeking a comprehensive range of advice on financial development and property issues. It has also had the benefit of the experience of numerous free trade zones around the world.

Planning for the zone is divided into 4 phases. The first phase covers the first 5 years of the zone's operations, and it is important to note that the zone has had operating facilities available for only 2 years. Phase 2 will take the zone through years 6 to 10 with a priority of reducing infrastructure costs, securing private investors, cutting marketing costs, attracting large operations and placing a greater emphasis on warehousing. Phase 3 covers years 11 to 15 and is designed around profitable management of the zone and consolidation of development. Phase 4 covers years 16 to 20 with the zone operating commercially at a profit, with a realistic option such as management sold to a private operator.

That is the planning time frame for the zone's development. With the wisdom of experience gained from other free trade zone operations, that is realistic and achievable. Commercialisation or privatisation of the zone is not a real option in these early years. I would be staggeringly surprised if a private operator could be found to take it on without guarantees of massive government financial assistance. Apart from that, I would regard the government's bailing out of the zone at this stage of its growth as a negligent and criminal action and a desertion of faith in the Territory's future. I have said it previously, and I say it again: the Trade Development Zone is a job with a long haul. Those who want instant results are fools without vision or wisdom. The zone is an immensely important cog in the future economic machinery of the Northern Territory. It will be wrecked at an infant stage if it is abused by get-rich-quick opportunists.

Let us come back to phase 1 in the zone's story - a phase that we have only half completed. The first 5 years have always been seen as an initial establishment period during which the government would develop the zone with concentrated expenditure on marketing and promotion and with a range of small occupiers installed on various incentive packages. Progress to date is best demonstrated by the highly satisfactory birth of a Territory textile industry. At this time, 2 major textile factories are in production at the zone and 2 more will be built and opened later this year. One of the textile

manufacturers is revolutionising the Australian textile industry through the introduction of production entailing special linking machinery and skills essential to gain export orders in fashion knitwear. Some 20 000 high-quality garments are now manufactured by 1 company at the zone every month for export to the United States and Europe, and the company has substantial expansion plans under consideration. A range of denim wear is now produced at the zone and 3 major export orders for the United States market have just been filled. This is very remarkable because the company has been in operation for just 1 month. Other zone occupants are at an early stage of their development but it is textiles which have shown the way. There are a number of other real prospects in various stages of negotiation and discussion and more will be heard about them in due course. Factories now at the zone employ about 140 people. Given current planning and projections, it is expected that this work force will expand substantially by the end of this year.

These early successes have not been achieved easily. I ask members to remember that the Northern Territory government has largely had to go it alone with little or no special assistance from the federal government. I find it hard to believe that the federal government is at all serious about export manufacturing. In comparison with the efforts and incentives offered by so-called third world developing nations in Asian regions, we are very much the poor relation. The Darwin Trade Development Zone is in competition with free trade zones around the world and the attraction of industries to what is a very small, underdeveloped corner of the world in Darwin represents a significant breakthrough.

I have noted that those involved in setting up the government statutory authority to run an enterprise in north Queensland have warned against expecting an early success for their efforts. The Queensland authority has studied the Darwin zone in great detail and it regards our progress as outstanding. It is also worth noting that many free trade zones around the world openly state that they will never reach commercial viability but that state and national governments are prepared to invest large sums of money in such zones because of the jobs they create and the significant funds they inject into the local economies. The Shannon Free Trade Zone in Ireland, which has been operating for more than 25 years, is often held up as one of the most successful, yet it still requires substantial injections of government funds annually and it still receives government support. However, the money it injects back into the economy makes it an eminently worthwhile project.

The Leader of the Opposition visited and was highly impressed by the Corby Trade Development Zone in the United Kingdom. He has said that on the public record. He should know that the Corby project requires a massive injection of funds annually from the British government and the European Economic Community to retain jobs for its 8000 workers. In our own case, already the real estate industry has pointed out publicly the significant injection of funds by zone occupants into the Darwin community. Companies have spent almost \$2m on Darwin properties, on vehicles and a range of goods and services. Of course, the 140 new employees are spending their wages in the local community just as other Territorians do. As the zone grows, this injection of funds into the local community will escalate. It is an important factor in the zone's rationale for existence.

I stress again that, in these very early days of the planned growth of the Trade Development Zone, privatisation is not able to be considered seriously. It is long-term stuff. Investors are highly unlikely to be attracted to the purchase of the zone which, by necessity, is in a revenue-negative stage. It

is worth observing that no hard-nosed private investor will take into account the benefits to the community at large, the injection of funds into the local economy and the positive contribution to the Territory economy that the zone is already making. That sort of benefit does not translate into spreadsheet figures for a business operation, but it is vitally important for the Northern Territory. Most successful trade zones overseas have government involvement and are run as statutory corporations. Overseas investors in manufacturing and other services, particularly from Asia, prefer the security of government ownership.

I have no doubt that privatisation of the Darwin zone now would cause us major problems in Hong Kong, Singapore, Malaysia and Taiwan. People now deeply interested in the zone would back off at speed. Trade and finance discussions with our near northern neighbours inevitably involve government or semi-government organisations. These organisations require the negotiations to be conducted with a Territory organisation of similar standing. This can be borne out by a number of Territory businesses, people who are becoming actively involved in the South-east Asian marketplace. One leading Darwin businessman, whose track record is one of success in terms of dealing with Asia, was recently part of a mission to Indonesia led by the Chief Minister. He said doors which he had been trying to open for many years were suddenly thrown wide to admit him because he was part of the official government delegation. This story, which is common in dealings with Asia, may not suit the political opportunists. However, it is typical. The member for Barkly, who has some experience in these matters, knows that full well.

To conclude, privatisation of the zone is no more than a fairy story at this stage of its growth. It may be appropriate in 10 or 15 years time. No doubt, future members of this Assembly will be able to debate it more realistically. Meanwhile, we all have a great deal of work to do to ensure the zone's successful movement towards the future position. If the Labor Party wants to give up on the zone, as the Leader of the Opposition announced last weekend, that is up to him. He does so without regard to the hundreds of jobs that are developing for Territorians at the Trade Development Zone, and he does so at his political peril.

Mr EDE (Stuart): Mr Speaker, it is probably a sign of the times that it behoves me, as a member of the Australian Labor Party, to get up and lecture the honourable minister on the hard, economic facts of the market economy and the business world. It is unfortunate that the honourable minister has not the opportunities available to him to depart from the CLP's worn-out rhetoric of the past. Instead, he has chosen to follow the snowball kicked off by the member for Casuarina and pursued by successive ministers as it tears down the hill towards the inevitable precipice.

Mr Dondas: There would be no Yulara if we had listened to you.

Mr EDE: Companies and businesses ...

Mr Dondas: No oil and gas fields if we had listened to you.

Mr EDE: ... locate in areas that provide them ...

Mr Dondas: No pipeline if we had listened to you.

Mr EDE: ... with advantages.

Mr Dondas: No Sunday trading if we had listened to you.

Mr EDE: That is a basic fact. If those advantages are natural advantages under ...

Mr Dondas: No self-government.

Mr EDE: Mr Speaker, I would be quite prepared to agree to any suspension of standing orders which would allow the member for Casuarina to contribute to this debate, if that is necessary.

Mr Coulter: He will be contributing, do not worry about that.

Mr EDE: Excellent. I hope that he will. I thought that he was contributing by way of interjection because he was unable to string together 4 words in a speech.

Mr Dondas: I cannot wait.

Mr EDE: He has waited all these years to have a good idea. Maybe he will have one later tonight.

Mr Speaker, if natural advantages exist in a particular area, business will develop and grow in that environment without the need for government assistance and without government financing proposals. All that will be needed from the government is that it ensure that red tape does not strangle projects. There may be a need to advertise the natural advantages so that people know they exist. However, unnatural advantages can be created for business. It is possible to do that but only at a cost. It is possible, in some situations, that such costs are justifiable; indeed, when we talk about a cost-effective proposal, that is what we are talking about. It could be that the costs to government of providing artificial advantages for a company will be justified by benefits to the wider community or, further down the line, to the local economy.

The honourable minister made great play about Hengyang. As the minister knows, however, Hengyang operates in an artificial situation which relates to quotas. It is a fact that the quota system in Hong Kong and China prevents the company from operating in its own natural environment. It has been forced to come into a situation in which it pays marginally higher wages than it would have had to pay out if it was in its home environment. We have to take that situation into account because there is a move towards the abolition of those quotas. As honourable members know, there is an international move towards free trade. The effect of that could be to eliminate overnight the advantages which the government has created through the expenditure of a great amount of money. That money has been spent to attract a company which is basically a low-wage employer.

If the government wishes to be known for the millions of dollars that it has spent on attracting sweatshops to the Northern Territory, be that as it may. The fact remains that the type of employment which is generated by that ...

Mr Dondas: Have you been out to have a look?

Mr EDE: I have.

The type of employment which is usually generated by that particular industry is very much on the lower end of the wage scale. As I have said time and time again, it does not make sense to chase business simply by providing

uneconomic, cost-ineffective incentives aimed at encouraging it to move into an artificial environment where it cannot flourish. That approach ends by costing more than it returns.

An analogy would be the setting up of a cultivated rose industry in the Northern Territory. The costs would be considerable but we could do it. We could set up the environmental conditions in which roses would grow. Why would we do that? Certainly, it would provide employment and generate a certain amount of income. It would provide flow-ons into the business community which would be supplying the materials necessary to create conditions suited to the growing of roses. It would use electricity and so forth to create an artificial environment. However, the simple fact of the matter is that roses do not grow well here under natural conditions and it does not make sense to bring something out of its natural environment into an unnatural one.

The only sensible approach is to look at those items which are most easily developed, given the natural advantages which apply. Once we accept that basic principle, it is clear that the Trade Development Zone has lost out. It has had very mixed success, primarily because it was politically inspired rather than being something that was required at the time. It was required politically because the government felt the need to do something - in fact, anything - to be seen to be active. As I said, it has cost nearly \$30m to date to set up the infrastructure. At the moment, I believe the operating cost is something like \$300 000 per employee position. The result is that 4 firms have gone broke and another was given the kiss of death over the weekend. There has been a complete loss of business confidence in this government and in its ability to plan and assist this economy, and a very large proportion of that loss of confidence can be nailed down to the government's pig-headed and blind pursuit of its endeavour to create a hothouse atmosphere by encouraging businesses to operate in an unnatural environment.

Let us have a look at what our local businesses could have done if they had had the benefit of the \$30m which the government spent on setting up the Trade Development Zone. What could they have done? Has the government so little confidence in our local businessmen that it believed that it was not appropriate to provide them with that \$30m to allow them to use our natural advantages, which they are familiar with and understand how to use? Why did the government decide to use that \$30m to attract industries from overseas instead of using it to assist local business? The people of the Northern Territory are waiting for an answer to that question. If that money had been used to assist local industry, we would have been providing far better services to the Asian region than those we are now providing. Our businesses have been providing services to government in the Northern Territory for many years and they understand what is required. They have the necessary experience. All that was required to assist that area of business was for the government to give it some priority to allow it to expand. That, of course, did not happen. I have spoken time and again about the need for this government to acknowledge the need to provide infrastructural support for the development of our horticultural and agriculture expertise.

Mr Dondas: It is happening.

Mr EDE: Tell us when it is going to receive \$30m or anything like the millions of dollars that have been poured into the Trade Development Zone! The only thing that those industries get is a mention in a glossy brochure now and then. The department which was supposed to be responsible, the old

Department of Industrial Development, was an absolute disgrace. It collapsed under its own weight after the public service deserted it. Hopefully, the pieces are now being picked up and we may start to see something in a number of years although, given the performance of the minister responsible, I doubt it.

Mr Speaker, we have natural advantages in a number of areas and government assistance and support should be targeted on those areas. If I can refer back to the analogy which I used earlier, they should be watered, fertilised, and helped to grow, instead of resources being used to support an artificial environment at the Trade Development Zone.

Defence support is another area which this side of the House has targeted constantly. During the next 10 to 20 years, there will be a massive build-up of defence industries in the Top End. The government should now be targeting its requirements so that we can develop the associated industries to take advantage of that situation. How can we ensure that the spin-offs from those industries stay in the Northern Territory? The government should be building on the natural advantages which we have here. The money will be spent here, but we will not necessarily receive the benefit because others will step in if we fail to plan and assist our own industries.

I cannot see why the government will not get off its high horse in regard to the Trade Development Zone. Its mentality staggers me. It should back off. It should say to business in the Northern Territory: 'Okay, we made a mistake. We have poured too much money into a bad idea and we are about to stop doing that and to get back on track by supporting you'. If the government did that, there is a possibility that business might support it. It might say: 'Righto, you have acknowledged your mistake in trying to prop up those outside industries instead of supporting what you have. Let us now get back on track. Let us get together again and start developing the economy'. That is what business would say if the government would start talking to it about things like lower electricity costs, infrastructural assistance, and the development links which we need to build up between our research institutions, our universities and business people. We need a credible local financial institution to bring those things together.

Mr Coulter: That is jobs, jobs, jobs.

Mr EDE: That is right, high quality jobs which will exist here in the Northern Territory, because of our natural advantages. In the long run, the need for government support will decline and we will have the economic base that we need. That is what we are on about, Mr Speaker. It is not what the government is on about. It is prepared to throw millions and millions of dollars away every year on an ever-disappearing dream, in an attempt to follow a mindless concept conceived many years ago by the member for Casuarina. I hope that his departure from the House will see the death of the Trade Development Zone.

Mr Coulter: The death of the Trade Development Zone.

Mr EDE: I would like to see it succeed. It has to become a success in the next couple of years or it is finished.

Mr DONDAS (Casuarina): Mr Speaker, I intend to begin my contribution to this debate on a matter of public importance with a quote from the Minister for Industries and Development. In a debate in this House on 6 October 1988, he said: 'Mr Speaker, on the opposition side we have witnessed subterfuge,

wild allegations, half truths and innuendo. The honourable Leader of the Opposition has an unhealthy obsession with the Trade Development Zone. For the sake of the Territory, he should seek remedial therapy'. I am very sorry to see that the Leader of the Opposition did not take the honourable minister's advice because here we are again, 6 months later, hashing over the same old coals.

Let me pick up a couple of points made by the member for Stuart. He said that we were creating sweatshops. He should not leave the House now.

Mr Ede: I have to speak in 3 more debates tonight, Mr Speaker.

Mr DONDAS: You can go after I tell you this. It will take 1 minute.

In respect of sweatshops, I simply point out that, in China, the workers get \$45 per month whilst, in Australia, in the Darwin Trade Development Zone, they get \$300 a week. Where is the sweatshop?

Let me talk about the alleged waste of money. The Leader of the Opposition has been making great play of an amount of \$30m which he says has been poured down the sinkhole. That is all we have heard for the last 2 weeks. If the Leader of the Opposition had read his Hansard, he would know where his \$30m went. In 1985 and 1986, the zone authority spent \$3.36m. Of that, \$2.63m was allocated for internal infrastructure including roads, sewerage, water reticulation, electricity reticulation and landscaping.

Mr Ede: So?

Mr DONDAS: Well, you keep on saying it went down the sinkhole. It is there. It is not going to evaporate overnight.

In addition to the allocation to the TDZ, the Department of Transport and Works spent \$4.1m, essentially to bring the infrastructure up to date, not only for the Trade Development Zone but also for the East Arm area. \$7.9m was allocated for buildings, comprising \$1.7m for the administration building and \$6.2m for factories. The infrastructure is still in place. It will be in place for the next 50 years. Has it gone down the gurgler? Has it been wasted? Of course not!

If we are talking about development during the last 5 years or so, approximately \$5.4m has been allocated on attracting occupiers into the zone. That includes overseas representation, incentives, travel, seminars, publications and general promotion.

Mr Smith: Consultants' fees.

Mr DONDAS: Yes, consultants' fees.

The Leader of the Opposition said this afternoon that, unless we pull our socks up in the next 2 years, he is going to withdraw his support. He said once that he was going to adopt a bipartisan approach to statehood but, last year, when the opposition decided that it did not know how to handle the issue, he withdrew that support. The same thing is occurring in relation to the Trade Development Zone now. It is a success story and, for some strange reason, the Australian Labor Party in the Northern Territory does not want to be associated with success stories.

In a previous debate in this House, the findings of Fergus Simpson's report on the Trade Development Zone were discussed. That report set out what Mr Simpson considered to be general guidelines about the path which the Trade Development Zone should take, and I will remind honourable members what Mr Simpson said:

Based on interviews with business and consular people, the preliminary findings with regard to the above are: it is generally acknowledged that the Northern Territory government, through the authority, has done more than any other Australian state to promote business opportunities in Australia. The authority has established excellent contacts and an understanding of the business practices and preferences in the region.

The use of consultants is generally acknowledged as being the most cost-effective means of establishing contact and screening prospective investors. The authority's choice of K.K. Yeung as principal consultant is acknowledged as being appropriate and sound. The government and the authority has been well represented in the region by the ministers and the officers involved.

Incentive packages have to be attractive to gain investment. Incentives offered by the authority have evolved over time. The current advice is that they are now commercial. The effectiveness of the incentive package will now depend on consistent application. The authority has a core group of loyal, committed and competent management and staff.

That is what Mr Simpson said. More importantly, the Leader of the Opposition and other members opposite have completely disregarded the Simpson Report.

In an article in the Sunday Territorian of 12 February, the Leader of the Opposition said: 'We need experts to save the TDZ'. I believe that he shot himself in the foot, because all he has said this afternoon - and all the member for Stuart has said - has been arrant nonsense. In fact, I found myself wishing that this evening's proceedings could have been broadcast so that people throughout the Territory would have been able to hear the nonsense that we have to endure.

Let me put some of the record straight. The Leader of the Opposition claimed that there has been \$3.4m of private investment in the zone as opposed to \$30m of government funds. That is false. As of today, committed and planned private-sector investment in the Trade Development Zone totals in excess of \$10m. The Leader of the Opposition says that each TDZ job has cost Territory taxpayers \$300 000. That was repeated by the member for Stuart and it is false. What the Leader of the Opposition conveniently overlooked is the fact that there is a \$28m projected expenditure to June this year on capital infrastructure and operating expenses. There will be \$15m-worth of assets at the zone, but no mention was made of those. Members opposite said only that the money had gone down the sinkhole.

Mr Ede interjecting.

Mr DONDAS: Factories in the zone are expected to employ 264 workers by June 1989. The member can interject if he wants to but I believe that he should be directed to remain silent.

Members interjecting.

Mr DONDAS: The member does not know what he is talking about. He talked about \$300 000. It is more like \$50 000 and the figure does not take into account the average wage of \$20 000.

Mr Ede: This is how we got into this mess, with this sort of economics.

Mr DONDAS: Realistic projections show that the factories in the zone will be employing in excess of 500 people by the end of the year.

The Leader of the Opposition says that the established enterprises have not provided the promised boost to local suppliers and that they have all imported their own plant and equipment. By the end of this year, 500 workers in the zone will be earning \$8m a year, and a significant portion of that will be spent in Darwin. The Leader of the Opposition claimed also that local people were not getting jobs. Mr Speaker, as you are aware, the textile factories bring a proportion of their work force to Darwin from outside. We all know that. These are skilled workers required on a temporary basis to enable the factories to become operational. The member for Stuart has not even been to visit the factories operating in the zone. He has not been on the floor to watch the linkers working and training people. Schoolchildren have been there, but the member for Stuart has not spent more than 10 minutes in the zone and even then he probably drove past, waved the flag and said he had visited the zone. He should go and talk to some of the people who work there.

He is not denying what I am saying. If it were not true, he would be jumping up and down and saying he had been falsely represented. He has not been out there.

Mr Ede: You are boring, Nick. Sit down.

Mr DONDAS: For a period of 12 months, an extensive training program is operating. It is being done in conjunction with textile, clothing and footwear industry training councils to ensure that locals eventually take over from the skilled temporary workers. The fact of the matter is that jobs are being created at the zone for Northern Territorians. Just as importantly, local people are being trained in new skills which are destined to be in high demand in Australia as the rest of the country follows the export manufacturing lead being set in Darwin.

I will pick up another point made by the member for Stuart. He spoke about the quota system. He said that it is the only reason why people are moving into the zone. Of course, it is one of the main reasons but the other reason is the political stability of this region. In 1997, many people will leave Hong Kong. They will go to Canada, America, Venezuela and England. They will go everywhere, so why should we not get some of them here, to help develop Australia? In 1997, they will flee Hong Kong in droves, so why not bring their expertise here? The member for Stuart does not understand that line of thinking. He chatters about the quota system. Sure, they are taking advantage of the quota system, but look at our balance of trade. As last week's figures show, it is all going one way. Everything is coming in from Asia. I am talking to you.

Mr Ede: It is export. It does not affect the trade figures.

Mr DONDAS: I am talking to you. Let us bring all the computers in.

Mr Speaker, I have only 3½ minutes left and I am sorry I have not got another 35 minutes.

The Leader of the Opposition has been telling people that overseas businessmen are brought to Darwin at the expense of the taxpayer. That is another falsehood! The businessmen who come to the zone are interested enough to pay for their own air fares and accommodation and, if another 180 businessmen came down at their own expense and only another 6 factories established in the zone as a result of those visits, the dividends are far superior to anything else on offer, certainly anything that these guys over there can offer, Mr Speaker.

The Trade Development Zone Authority has done its job, made much more difficult by the smear campaign, the innuendo and the outright falsehoods put forward by the Leader of the Opposition. I believe that he is doing no more than laying the groundwork for his political masters in Canberra by attempting to sabotage the forthcoming talks at the Premiers Conference in which the Chief Minister will be seeking further incentives for manufacturers to establish in the zone. Perhaps I am drawing a long bow but maybe I am not. Anyway, if the Leader of the Opposition continues to be ill-informed, he will go on damaging the future prospects of the Northern Territory.

I really despair for the Leader of the Opposition. The textile factories in the zone are revolutionising Australia's attitude towards exports. These are new industries introducing new skills to Australia. The plant and machinery is not available in Australia. That is why it is not being bought in Darwin, as members opposite have suggested it should be. This equipment is the latest, most up-to-date, state-of-the-art technology. It is not available in Australia so how can it be bought in Australia and installed at the zone? I really cannot understand the members opposite. A great many people have probably seen the movie, 'Young Einstein'. Well, it would not take Yahoo Serious too long to work it out.

What the Leader of the Opposition overlooks are the statements that have come from the private sector about the significant injections of funds into the local economy as a result of the operations of the zone. At a conservative estimate, the 2 textile companies in the zone have injected something like \$2m into the Darwin economy. That \$2m has been spent on houses, cars and furniture. It is money that has gone into the local economy.

Mr Coulter: But that is not good enough!

Mr DONDAS: Not good enough, no.

The real estate market has been very slow, and we know that. Maybe some impetus from the Trade Development Zone has kept it at a reasonable level and saved it from falling even lower. More importantly, whilst members of the ALP continue to attack the Trade Development Zone, they can only damage themselves and the Northern Territory.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL
(Serial 174)

Bill presented and read a first time.

Mr COULTER (Leader of Government Business): Mr Speaker, I presented this bill at the request and on behalf of the Chief Minister. I move that the bill be now read a second time.

The bill addresses a number of minor administrative anomalies. The need for the amendments has been brought to the government's attention through observations made by the Auditor-General and legal opinions provided by the Solicitor for the Northern Territory. The amendments relate basically to administrative details and do not have an impact on the government's financial management or policy. Honourable members will appreciate that the Financial Administration and Audit Act is a major vehicle for government operations and continually needs updating and amendment in accordance with changing accounting principles and procedures.

The impacts of these amendments are as follows. Firstly, the purpose of trust accounts may now be varied without the necessity of closing and opening accounts and transferring the balance between them. Secondly, savings identified by departmental management may be transferred to the Treasurer's Advance for subsequent redistribution in accordance with budget priorities. Parliamentary oversight of the budgetary process is in fact enhanced by the requirement subsequently to table this Executive Council instrument. Thirdly, the Treasurer's Annual Financial Statements will now be reported to the nearest thousand dollars in accordance with the budget presentation format which will remove some distracting and space-consuming clutter from the information presented to the Assembly. Fourthly, moneys received as a result of an investment by the government may be credited to either the Consolidated Fund or the Trust Fund, whichever is the more appropriate in the circumstances. Fifthly, prescribed statutory corporations will be able to participate in investment activities on the approval of the Treasurer, removing an unnecessary impediment to efficient management of the Territory's financial resources. Finally, the Northern Territory government will no longer be required to guarantee its own loans to its own prescribed statutory corporations, which imposes a peculiar, ineffective and unnecessary step on the administrative process.

Mr Speaker, I commend the bill to the House.

Debate adjourned.

PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL
(Serial 172)

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.

These amendments have been introduced as a result of amendments made to the Commonwealth Petroleum (Submerged Lands) Act 1987. Under the 1979 offshore constitutional settlement, the Commonwealth, states and Northern Territory have agreed, as far as practicable, to have complementary legislation for the exploration and exploitation of petroleum from submerged lands. These amendments to the Northern Territory act have been prepared in keeping with this settlement.

The amendments propose 3 significant changes to the act in the areas of applications for exploration permits, declaration of locations and changes in ownership of permits, leases and licences held under the act. The amendments cover several other minor matters, the most important of which concerns a clarification of the intent of a previous amendment made in 1986. I intend to confine my comments to the major changes contained in the amendments.

The first change is to existing provisions governing applications for permits over areas previously held as exploration permits but which have now been surrendered. This amendment is aimed at preventing companies from making over-the-counter applications and will thereby strengthen existing competitive bidding procedures for new permit areas.

The second major change contained in the bill simplifies the procedure for developing an oil or gas field. The first step in this procedure involves the declaration of a 'discovery block', where the discovery is actually made, and up to 8 additional blocks around the first block as a 'location'. At present, the act requires that each of these additional blocks physically adjoin the discovery block. If their mental arithmetic is good, honourable members will realise that, at best, the 'location' must be a square 3 blocks long and 3 blocks wide. Unfortunately, oil and gas discoveries do not always conform to such a nice, square pattern. In fact, they rarely if ever do. Therefore, the amendment provides an opportunity for a company holding an adjoining permit, where an oil and gas discovery extends into their permit, to apply the declaration of a 'location' over the part of their permit. This is not possible under the existing act.

The third major change deals with the documents that companies must provide to me in order to obtain my approval to a change in the ownership of a permit, licence or lease issued under the act. At the present time, companies must lodge the contractual documentation for the change of ownership and, once I have approved that change and the documents have been registered, the documents then become available for public inspection. A number of companies in the oil industry have expressed concern that this public inspection provision offers other companies, including their competitors, access to information that they would prefer remains confidential. Such information might include key legal and financial aspects of the deal. As a result of this concern, it is proposed to amend the act so that companies can, if they so choose, lodge 2 documents: the actual contract document, which I will still need in order to decide whether to approve the deal or not, and a second document that will contain information regarding the change of ownership but not those aspects that the companies chose to keep confidential. Only this second document will then be available for public inspection.

These amendments to the Petroleum (Submerged Lands) Act will improve administration of the act and will be welcomed by the oil industry. I commend the bill to honourable members.

Debate adjourned.

RACING AND BETTING AMENDMENT BILL
(Serial 173)

Bill presented and read a first time.

Mr POOLE (Tourism): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to transfer the responsibility for the supply and control of betting tickets from the Commissioner of Taxes to the Racing, Gaming and Liquor Commission. Betting tickets are used by bookmakers as a means of recording bets and providing a basis of control by the Racing, Gaming and Liquor Commission. They are required as part of the regulatory function of the commission. Therefore, it is now appropriate that the commission should also have the relative administrative responsibility.

Transfer of the administrative function from the Taxes Office to the commission would provide bookmakers with a service in accordance with the principle of the one-stop shop. Betting tickets are not a revenue generator. Under the Stamp Duty Act, a duty of 2¢ is imposed on betting tickets. Printing, distribution and administrative costs far exceed the revenue collected. The Treasurer has introduced amendments to the Stamp Duty Act and the Taxation Administration Act to remove this duty. To achieve a smooth transfer in administration, the amendments to the Racing and Betting Act will come into effect on the same day as the relevant amendments to the Stamp Duty Act. I commend the bill to honourable members.

Debate adjourned.

MOTION

Noting Statement on
Aboriginal Sacred Sites Review Committee Report

Continued from 25 August 1988.

Mr BELL (MacDonnell): Mr Speaker, I note with some concern that the Assembly's deliberations on this report have been made very difficult by the extraordinary haste with which the government has proceeded.

I took the opportunity to read the record of the minister's and my own comments upon the tabling of this report on 25 August last year. In terms of the public debate, a great deal of water has flowed under the bridge since then. The government introduced and then aborted a highly controversial bill. In deciding not to pursue it, the government showed good sense. Nothing has demonstrated any necessity for the precipitate action of introducing that legislation. In fact, it had the effect only of making more difficult an unemotional, sensible debate about possible amendments to the Aboriginal Sacred Sites Act.

There are areas of amendment to which the report draws attention. I refer honourable members to page 7 of the minister's statement, where he referred to the need for recognition of sites of significance to Aboriginal women and for women to deal with the registration of those sites. That is an important process. I suggest that the Minister for Lands and Housing should tell that to the Minister for Mines and Energy because I know that the latter has received written representations from women who are currently resident at Uluru in relation to their concerns about places in the Petermann Land Trust area. In his bull-in-a-china-shop fashion, the Minister for Mines and Energy has charged ahead and ignored their interests. I commend the comments made by the Minister for Lands and Housing in respect of that aspect of the report.

The interesting aspect of the report is that, when one looks at its broad terms, it expresses none of the dissatisfaction with the operations of the Aboriginal Sacred Sites Protection Authority that seems to bug this government and its predecessors. Instead of getting the Aboriginal Sacred Sites Protection Authority in their sights, the minister and this government ought to be working with it. The Aboriginal Sacred Sites Protection Authority has done a great deal to convince Aboriginal people that the Territory wants to protect what is important to them. I appreciate that there may be a small minority of cases where questions of detriment may arise, but I do not believe that it is necessary to perform radical surgery on the authority as it is currently constituted. I continue to be impressed by the quality of the authority's deliberations and decisions.

I understand that, with respect to the Mount Samuel dispute, which the government was seeking to raise to the level of a cause celebre, progress is being made. I have made reference previously to the Antjalkan Tjanamur case, which related to the Desert Springs subdivision and was suitably resolved. Such achievements are the outcome of one of the great triumphs of self-government, which this government is attempting to tear down. The Aboriginal Sacred Sites Act is the one piece of legislation that would enable this legislature to stand up and say that it can take into consideration the diverse range of interests in the Territory and still develop our resources. It is not only a shame that, subsequently, the minister has attempted to legislate in the way that he has, but it would appear that the report itself contains no justification for legislating in that fashion.

Let me return to some of the comments made by the honourable minister himself. He made an interesting reference to what he referred to as 'myriad legislation, often overlapping', and went on to say: 'Unfortunately, we still have a situation where, in many cases, the sacred sites authority, developers, land councils, traditional owners and custodians, and government are at loggerheads'. He added: 'Unfortunately, the authority continues not to comply with the act'. The authority has been complying with the act. It has serious reservations about the integrity of this government with respect to the declaration of sites and I believe that that is a problem which needs to be resolved. It is a pity that the approach of the government has not assisted in that process. My view is that the report does not support the minister's contention that various organisations, including developers, traditional owners and custodians, are at loggerheads. The minister is drawing a very long bow indeed. I have read the report very carefully and, as far as I am concerned, the minister appears to be lending himself to some fairly crude politics with this exercise.

The Minister for Lands and Housing has been instructed by his Cabinet that there are votes to be won by attacking genuine Aboriginal interests. Members opposite have not been able to come up with any regular pattern of decisions by the Aboriginal Sacred Sites Protection Authority which has caused problems. However, they have latched onto a small minority of cases and have done whatever they can to pretend that problems exist where they do not.

To use an example which does not involve Aboriginal interests, let us say that there is a disagreement which relates to the operation of the Crown Lands Act, as there has been with Mr Anderson's development on Tipperary Station. In such a case, does the government repeal the Crown Lands Act or institute a massive review? Of course it does not. The fact of the matter is that it is not a sensible way to proceed and the behaviour of the minister, not only in his statement but in the way he has subsequently proceeded, has further clouded the issue and made an appropriate resolution even more difficult.

The fact of the matter is that the non-urban land use seminar, which I proposed and which is strongly supported on this side of the House and by many of the interests to which the honourable minister refers, is a much more sensible approach to this particular problem. There is a great need to bring together the various interest groups in relation to questions of land use in the Territory. I refer not only to the Aboriginal land councils and the Aboriginal Sacred Sites Protection Authority but to the sympathetic elements in the mining industry and in the pastoral industry, elements which certainly exist.

The fact is that the government does not have majority support for this particular attack on the operation of what has been successful legislation.

I do not believe that the minister's statement bears out the findings of the report and I believe that a more sensible approach is necessary in dealing with it.

Mr COULTER (Mines and Energy): Mr Speaker, the member for MacDonnell did not make a single reference to the recommendations of the Martin Report. He merely gave us another example of the simple rhetoric which we have heard in this Assembly on many occasions. He has a standard speech that he is prepared to give on any issue and on any initiative which the Northern Territory government embarks on. It is a tired speech and we have heard it many times.

In tabling the Martin Report during the August sittings last year, my colleague the Attorney-General foreshadowed that he expected to be able to introduce more effective legislation to achieve a balance between the protection of sites of significance to Aborigines and the proper development of the Territory, its people and its resources. That has been the case in the past. That legislation has been introduced and, as members are aware, our original intention to deal with the bill at this sittings has been deferred until May so that the widest consultation, particularly with Aborigines, can be achieved.

Let me say that I have a strong commitment to the process of reconciling the need for development and the need for protection of significant Aboriginal areas whenever there is a possibility for dispute. I believe that it is possible to do that and I believe that the Martin Report is a major step in advising us of how that can be achieved. In his own quaint way, the member for MacDonnell implied in an earlier sittings that he doubted that I had such a conciliatory nature. I am mindful of the rights of Aboriginal people to have areas of significance looked at in a special way, just as I am mindful of the rights of other legitimate interests to get a fair deal and, above all, natural justice, when their claims for use of land or access to minerals and energy resources are being considered.

I suppose one of the major differences between myself and the honourable member opposite is that I do more than poke holes in the sky. To the best of my ability, I want to help develop the Territory, which is the mandate of this government. I expect that members opposite will attempt to ridicule what I say but, believe me, we are about progress and development - although not at just any cost. What we say is: let the legitimate areas of concern to all parties be fairly tested on an equal opportunity basis. Can anyone argue with that? If so, Mr Speaker, they have no place in this Chamber.

We have the runs on the board. As an example, let us look at the gas pipeline, the energy cord which uses resources in the south of the Territory to meet the needs of the wider community, particularly the major users in the Top End. To put that in place, we had a team of people who knew what they were about. They knew how to negotiate clearances and rights of way with other vitally affected groups, principally Aborigines. They did not belong to the mirror cult. They did not sit down and hope that some good fairy would see that all interests were catered for. They acted. They did not simply say, 'We will look at it' which is what the mirror people do. They were able to identify Aboriginal people with proper interests in protecting sites and to reach agreement with them. When the pipeline was ultimately put in place, I am sure that no Aborigine would have said that his or her proper interests were overlooked or rights overturned.

A similar process could have occurred generally, had the full process of the existing sites legislation been used. I am talking about the declaration

process and not simply the logging of sites in a register. It is not fair play to put something so important in a register and to allow the matter to rest there. It is not fair to the Aboriginal custodians because the entry of a site in a register does not automatically give it the protection available under the act. It is not fair to the other parties because they never have the opportunity to put their case. The bona fides of all the parties have never been tested and natural justice has been circumvented. Only a declaration, with proper evaluation of all interests, can achieve fairness to all parties. Of all sites registered, only 1 has been put up for declaration, and that has only occurred recently in relation to Mount Samuel. No wonder cynicism is widespread and is breeding faster and faster. As the Martin Report pointed out, this situation was not necessary and our new legislation will rectify the anomaly.

Mr Speaker, let us look at Coronation Hill, where there is \$1500m-worth of mineral wealth. Certainly, it is in a conservation zone and the federal government is yet to decide finally whether to allow its development, on environmental grounds. I hope that down-to-earth commonsense judgment will prevail, based on facts rather than ideological garbage. Complicating matters further, the development of this enormously rich province is hindered by a festering dispute over the validity and significance of sites and the concerns of some Aboriginal people. Would it not have been better for the claims of these Aboriginal people to be dealt with as part of a declaration hearing which, I am sure, would not have abused any sensitive aspects of any claim? These Aboriginal people would have been able to hear the other side of the story at first-hand and face-to-face - what the miners wanted to do, why they wanted to do it and how, and what guarantees they would have made to the Aboriginal people to protect particular areas if that was the upshot of the declaration.

We, too, would have been able to know what other interests, including the wider Territory interest, would be affected by a decision one way or the other. Pull the plug on a \$1500m project for the wrong reasons and see whether the community will cop it! See whether it will cop it sweet. In the same way as have the miners and the Aborigines, the community has the right to share in prosperity, in jobs and training and everything that goes with sensible and rational mineral development. We have the legal and human power to deal with breaches. We will not allow environmental damage to occur, nor unsafe work practices. We have the capacity to deal with these things, but first we need the development. We cannot operate in a vacuum. The Martin Report has looked at the past situation and has signalled that the concerns of all parties can be addressed. This government will do that.

We are aware of complementary Commonwealth legislation which, if you like, provides a belt-and-braces approach to the issues of sacred sites on land, whether it be Aboriginal freehold land or not. That approach applies because it is not only myself who must be satisfied about development, but the federal minister as well. Our new legislation reinforces this approach in relation to exploration and development on Aboriginal land and I am totally confident that development on land under Northern Territory title will stand the same rigorous test when assessed by the minister responsible for the protection of sites and by myself as the minister responsible for mining.

There is at least one thing that binds most Territorians and that is the will and the wish to do something. Of course, we will always have some irritants yapping and biting at our ankles for reasons best known to themselves, but when one travels the length and breadth of the Territory, including on land owned by Territory Aborigines, one constantly hears ordinary

people asking: 'When are we going to do something? When is something going to happen? Can you help us do these things?' It is a positive attitude. Most of us do not belong to the mirror cult. We do not have the Kodak syndrome of watching to see what develops. We are a community of doers; almost all of us are developers. We develop many things, including our cultures, the protection of our heritage and the creation of opportunities for those that follow. The Martin Report is a major step forward in providing those opportunities. It is a document that affords to anyone with the will to read it the opportunity to understand some of the issues and to see them in stark relief. It offers a range of recommendations. It seeks to be fair and impartial, and from it has flowed a new piece of draft legislation which should allow anybody with an interest in the past and the future the right to be heard, and natural justice to be served.

That is the content of the Martin Report. That is its underlying factor. If honourable members opposite believe that Aboriginal groups, in particular, are not coming into my office and are not asking me how they can get things done in their communities to create meaningful full-time employment, to create wealth, to get better services, to protect their traditions and their culture whilst gaining the best both worlds have to offer, they are wrong. That is what those Aboriginal groups are asking me.

They are particularly fond of gas and oil and developments. The impact of gas and oil infrastructure is minute indeed compared with that of many mining ventures. They are particularly interested in oil and gas exploration on their lands because they know of the great wealth that can be produced to provide the services they want. They want to get out from under the welfare umbrella. They do not want the welfare industry which has been created in the Northern Territory and which employs over 1000 people, many of whom are dedicated to ensuring that Aborigines remain under that umbrella. Aborigines are opposed to that. They are proud people and they want to come out and have a go.

Mr Smith interjecting.

Mr COULTER: If the Leader of the Opposition does not believe that is so, he should go out into his electorate a little more often and speak to the people. I am sure that the member for Arnhem is aware of the increasing movement within his electorate towards the development of joint venture projects to take advantage of mining projects. I know that the member for Arafura really backs that type of strategy and philosophy because he has said so many times in this House. I congratulate him for that although he does not need me to give him the kiss of death as he tries to bring about development in Aboriginal communities in order to create meaningful full-time employment. As he said in a speech in this House just recently, he needs time and his people need time.

The member for MacDonnell knows full well of the benefits which people in parts of his electorate are deriving from mining activity. There have been some developments in the Docker River region and I would like the member for MacDonnell to comment on those, particularly the total ban on geological surveying. Magnetometer work has been stopped and planes banned from flying over sacred sites. This has happened at the same time as people are coming to us asking how they can become involved and share in the benefits. A big movement has begun in the Docker River region and in the Petermann; people want to get on with the development of their land so that they can have services and create real wealth. It is a fact of life. Drilling at Gosse Bluff is under way and I believe that it has now reached a depth of 2000 m. I

asked the member for MacDonnell to go out there with me to explain to the people what we were doing because they wanted to know what the real story was and what was going on.

The Martin Report has given us an impartial view of some of the issues which need to be resolved. It is significant that the only sacred site in the Northern Territory which has ever proceeded through to the declaration stage is the Mount Samuel site. Great controversy has surrounded that because some Aboriginal people have been involved in mining in that area since the 1950s. It was no coincidence that suddenly we were able to get people to move to the declaration stage rather than simply registering a list of names in a book. That would never have happened if the issue had not been highlighted by the Martin Report. The Aboriginal people of the Northern Territory would not have had the full protection of the act as it was originally intended that they should. The Aboriginal Land Rights Act was passed in 1976 and the Sacred Sites Act has been law for almost as long. It has taken almost 12 years for the first sacred site to be declared. If that is not a travesty of justice and a case of misplaced faith, I do not know what is. Until recently, nobody bothered to use the full force of the act to ensure that sites reached the declaration stage.

There is no difference between the legislation proposed by the Northern Territory government and that of the Commonwealth. Indeed, I will be interested to see what the Commonwealth has to say about the Northern Territory legislation. It will not be in a position to complain about the Northern Territory or the rednecks of the north because all we are asking for is exactly what is contained in the Commonwealth act. We are after a fair go for everybody. We are after natural justice. Above all, we want to achieve what was intended by the original act: to ensure the security of sacred sites of importance to traditional Aboriginal people. For 12 years, people have neglected to use the full force of the act to ensure that security for traditional owners. That has been a great travesty of justice, for the Aboriginal people in particular.

A large number of meetings took place over a number of years, in putting together the Aboriginal Land Rights Act and the protection of sacred sites that went hand-in-hand with it. The member for Braitling has made many of the transcripts of those meetings available to me. It is clear that the trust which traditional owners placed in the people conducting those consultations has been misplaced. Several people have betrayed that trust. Mr Speaker, if you believe that it is a coincidence that Mount Samuel is the first site to be declared, I do not think so at all.

I commend the Martin Report to honourable members. Its recommendations draw attention to several issues which need to be taken up and, as I said, the legislation foreshadowed in the House by the Attorney-General has been a direct result of some of the matters which the report has raised. I commend that move to all honourable members in the hope that, at long last, justice will be seen to be done, particularly by those traditional owners who have fought so hard and bestowed so much faith on the people who conducted the original consultations in the very early days of 1970.

Mr TUXWORTH (Barkly): Mr Speaker, I would like to speak to the minister's statement and the Martin Report and to reflect on legislation that is before the House. I believe that the 3 are closely related. I would like to recount some of the history of the Aboriginal Sacred Sites Act for the benefit of some members who may not have been here at the time.

When the Aboriginal Land Rights Act was formulated, it was made very plain to Territorians that there would be little opportunity for us to participate. At the time, we were told quite forthrightly by the Fraser government - and I think the minister was Ian Viner - that we were regarded as the wrong people to be involved because of our attitudes. They said they would accomplish everything in Canberra because, as far as they were concerned, the mood was right for kicking the political aspirations of people in this part of the world. The involvement of this House in making representations about the legislation is documented and well known to everybody. It was in relation to the issue of sacred sites that the claws went right in. The Northern Territory government-to-be could see that the 'sacred sites problem' - and I put that in inverted commas - which would arise as a consequence of the act could render the Territory impotent in terms of development if it was not drafted properly or if its administration fell into the wrong hands.

As a concession to the Northern Territory - and I say a 'concession' in the true sense - the federal government said it would let us pass our own legislation and administer the Aboriginal Sacred Sites Act. There was, however, a rider: 'If you do not do it the way we want it done, we will take the responsibility back to Canberra. Furthermore, just to make sure that you do not get too big for your boots and do something we do not agree with, we intend to keep a provision in the act that will enable us to assume the responsibility for sacred sites at any time which suits us'.

Mr Hatton: And they put the definition in.

Mr TUXWORTH: Mr Speaker, I did not quite hear the member for Nightcliff's interjection.

Mr Hatton: The definition.

Mr TUXWORTH: What we have is really what the Commonwealth insisted on. There were many aspects of the legislation which we would have framed differently. The flaws were clear, both from a commonsense viewpoint and in terms of administrative difficulties. Nevertheless, the act was passed. Honourable members would recall that, particularly in 1979 and perhaps 1981, the then Chief Minister Paul Everingham led the push to change the Aboriginal Sacred Sites Act. In fact, I believe that several bills were introduced in this House but were not proceeded with because of the big stick wielded by the Commonwealth. The Commonwealth government said: 'If you do this, we will intervene'. I do not think it was an idle threat and I doubt that anyone else thought so at the time. Because of that threat, the proposed amendments to the Aboriginal Sacred Sites Act fell off the Notice Paper and were not proceeded with.

I think it is fair to say that the problems which have been outlined in the Martin Report, and referred to by the Minister for Lands and Housing, the Minister for Mines and Energy and many industry groups, are very real. Some provisions of the existing legislation are seen as tools designed to stunt the Northern Territory's economic growth.

Turning to the current situation, the reality for the Northern Territory is that the legislation proposed by the minister is not worth a tinker's cuss. That is because, if it is not happy with the situation at any stage, the federal government can intervene and resume control of sacred sites. The minister knows as well as anybody else does that, when it comes to the crunch, the federal government will side with the land councils and Aboriginal groups before it will side with reason and the wishes of the majority of people. It

is also a fact that the Aboriginal Sacred Sites Protection Authority can, if it wishes to - and obviously it has developed a strategy for doing this - thwart the minister's plans and sidestep his proposed legislation. In fact, as I understand it, it is poised to do that. That might have something to do with the announcement that the legislation is to be left on the books for a few more weeks. Perhaps it will be there for 6 months and then it might fall off the Notice Paper too. If that occurs, we might eventually do what we should have been doing for the last 10 years: come to grips with framing amendments to the act which have the support of Aborigines, the Aboriginal Sacred Sites Protection Authority, this House and the Commonwealth. Whilst that may be a very difficult task, it is one which we need to attempt.

The terms of the minister's statement tabling the Martin Report are contradicted by the actions of his own ministerial colleagues. The minister referred to the need for closer and more direct contact between the government and Aborigines concerned with sacred sites, without the intervention or presence of other parties. I have always supported that because the best way to operate is on a people-to-people basis. I stood in this House a couple of nights ago and virtually begged the Minister for Mines and Energy to talk personally with the Aboriginal people involved in the Devil's Pebbles saga because they are wailing in the dark for somebody to come and talk to them and clear up the mess. As the Minister for Mines and Energy said earlier, there are many reasonable Aboriginal people who are looking for the whole thing to be unravelled as much as we are. When I put it to him the other night that he ought to become involved in the Devil's Pebbles situation, he said that it was not on and that the matter had to go to court.

Mr Coulter: I did not say that at all.

Mr TUXWORTH: I refer the honourable minister to Hansard. That is what he said.

The point that I am making is that, on the one hand, the Minister for Lands and Housing is saying that we should work more closely with Aboriginal people in respect of sacred sites and that that is essential if things are to proceed more smoothly whilst, on the other hand, the Minister for Mines and Energy refuses to become personally involved in a situation which is crying out for that sort of involvement. Even if he does not wish to be involved, there is still a need for a minister to talk to the traditional owners of the Devil's Pebbles site.

Mr Coulter: What is wrong with the Central Land Council that is set up to serve them?

Mr Manzie: You will have to get off the fence at some time, Tuxie.

Mr TUXWORTH: I am not on the fence. If the honourable member had been listening, he would have clearly understood my point: his legislation cannot go anywhere because it does not have the support of the Commonwealth. Without that support, it is a dead duck. That is the first point. The second point is that, if we want to get anywhere, we can do so only through negotiation. We cannot crash through. That may be an unpalatable fact of political life but it cannot be ignored. That is just the way it is. I think the honourable minister would agree - and certainly the Minister for Mines and Energy has said it - that there is room to negotiate amendments to the Aboriginal Sacred Sites Act which will satisfy all parties. There are probably some that we would all like to see but which will not be passed. Now is the time for us to put the crash-through policy aside and come back to the table to negotiate some amendments to the act which will gain the agreement of all parties.

Mr Manzie: Where have you been for the last 2 years?

Mr TUXWORTH: Mr Speaker, I will respond to that interjection. Like everybody else in the community, for the last 2 years I have been watching the minister prepare for the big crash-through. The bottom line is that that policy never had a prayer. It did not then, it does not today and it will not in the future. Will the minister consider the possibility of negotiating with all the parties concerned to frame amendments to the act which may not be ideally what he wants but will certainly be an improvement on what we have now?

The Central Land Council, the Northern Land Council, the Aboriginal Sacred Sites Protection Authority, and the people who have been frustrated by the act all agree that changes are required. The Northern Territory government believes that change is needed and the Martin Report has outlined the sort of changes that it wants. The various parties will not get everything they want but it is certainly worth while trying to obtain some agreement by negotiation. I will lay London to a brick with you, Mr Speaker, that the legislation proposed by the honourable minister does not proceed to a debate and a vote because, in the final analysis, it cannot succeed. There is no future in screwing the Sacred Sites Authority because, whether we like it or not, it has Commonwealth support and we do not have that.

Mr Coulter: Where do you stand?

Mr TUXWORTH: Mr Speaker, obviously the honourable minister is not listening. I will tell him again where I stand. The only option left for us is to sit down with the respective Aboriginal groups and negotiate amendments to the act that can be agreed to by all parties.

Mr Manzie: What sort of mechanisms do you think you would use?

Mr TUXWORTH: Mr Speaker, members opposite have obviously decided that it is too hard and cannot be done. What sort of mechanisms would we have? The answers to those questions might well be put to the other parties in negotiations.

Members interjecting.

Mr TUXWORTH: Mr Speaker, they can yell at me across the Chamber but that will not provide them with the answers. In the end, it is the other parties that will have to negotiate.

Mr Manzie: Tell us about the Martin Report. What was that? What sort of mechanism was that?

Mr SPEAKER: Order!

Mr TUXWORTH: The honourable minister asks what sort of mechanism the Martin Report is. It is simply a mechanism devised by Mr Martin and his colleagues after consideration and deliberation. It does not matter what it contains; if the Commonwealth and the Aborigines do not want to proceed with its recommendations, those recommendations do not have a prayer. That is the bottom line. The honourable minister has had a go at the crash-through policy and it does not have a prayer because everybody is in a position to sidestep whatever action the minister takes. If he is prepared to consider negotiation with the Aborigines, we might find out what they will support because, obviously, they are not prepared to support the recommendations of the Martin Report.

Mr Manzie: Who is not prepared to support the Martin Report?

Mr TUXWORTH: Mr Speaker, as I understand it, the land councils and the Aboriginal Sacred Sites Protection Authority are not prepared to support the Martin Report.

Mr Manzie: Do you know what they submitted to the Martin Report? Have you read it or are you making it up as you go along?

Mr TUXWORTH: Mr Speaker, to pick up the interjection by the honourable minister, I took the trouble to read the report 9 months ago when it was tabled in this House. It was not dealt with then. It has been sitting on the Notice Paper for 9 months. Although the minister has subsequently framed legislation, we still have not dealt with the report. It would have been a smart move to bring on the debate on the report and then bring in the legislation.

Mr Manzie: Pick up the interjection. You have not picked it up.

Mr TUXWORTH: Mr Speaker, I have picked up the interjection. The minister has simply closed his mind to any possibility of reason and will proceed on his merry way.

As the Minister for Mines and Energy said, many Aborigines are as fed up as the Europeans are with the fights, the arguments, the differences, the frustration, the lack of development and all the other things that have been mentioned. At least at some levels, there is willingness to try to obtain change. Perhaps the change will not come in big bites or as quickly as we all want it to come. However, if there is agreement on anything, it will be a move in the right direction.

I say to the minister that I think it is unfortunate that we are debating the Martin Report and his comments on the report some 6 to 9 months after the report was tabled in this House and after the introduction of legislation arising from it. That is a pity. The issues will not go away and I am looking forward to some pretty lively debates in connection with them, because events will not take the course the government wants them to take.

Mr HATTON (Nightcliff): Mr Speaker, I have been listening to this debate with some fascination. I must say that I could hardly disagree with many of the views expressed by the member for Barkly and his comments about the role of the Commonwealth. Some of those comments came as a pleasant surprise, because I still have unpleasant memories of certain directives which I received in 1985, as Minister for Lands, in relation to matters associated with the Aboriginal Sacred Sites Protection Authority, which led to a rather embarrassing situation in respect of its director. To put it bluntly, an attempt was made to crash through. That attempt was unsuccessful and led to a court decision which has placed the Director of the Aboriginal Sacred Sites Protection Authority in the unbelievable position of being immune to any disciplinary action by the people who are paying his wages, no matter what he does.

In this context, I remind honourable members of an advertisement which appeared recently in the NT News. I would like to know whether that was paid for by the Aboriginal Sacred Sites Protection Authority. It was signed 'Bob Ellis, Redneck Baiter'. That sort of behaviour is disgraceful from someone who purports to be a responsible chief executive officer of a government statutory authority. Even if one felt inclined to describe oneself

in those terms informally, it is irresponsible to do so publicly when one is in a position of authority. A rather unfortunate court decision has led to the situation in which such behaviour is possible.

To return to the matter before us, following considerable controversy in relation to the Aboriginal Sacred Sites Protection Authority, the government commissioned a report. That report was produced in June 1987, although I understand that it was not forwarded to the minister responsible until some time after that date. The review had extensive terms of reference, requiring an examination of the operations of the Aboriginal Sacred Sites Act and the making of recommendations on possible changes to the act, and consideration of procedures which might more appropriately achieve protection for Aboriginal sites of significance in a manner consistent with Aboriginal tradition.

It is necessary, in dealing with a concept such as Aboriginal sacred sites, to look at the definition of 'sacred'. To us, the word has connotations of churches, graveyards and matters of religious significance in our culture. The definition of 'sacred site', however, goes beyond that. The current act says that a sacred site means 'a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition, and includes any land that, under this act, is declared to be sacred to Aboriginals or of significance according to Aboriginal tradition'. The act contains a concept of sacredness and a concept of significance. In many cases, obviously, there are gradations of significance, as I believe there would be in relation to sites of importance to any religion or culture.

In this context, I am conscious of a particular circumstance on the border of my own electorate where a site of significance has been identified. Apparently, it was a source of white ochre for ceremonial purposes in the past and it is now identified and protected as a site. There has been much debate about whether the site is sacred in a religious sense or simply significant in secular terms.

The question arises as to whether all entry to or passage across all identified sites is prohibited in a blanket sense. Quite clearly, that is impractical. There are some areas which Aboriginal tradition would not exclude other people from, either in terms of their passing through the site or taking advantage of it in some way, provided that certain elements of the location were not disturbed or destroyed. Such issues need to be dealt with. They have been raised by members of the Aboriginal Sacred Sites Protection Authority, members in this House, land councils, developers, pastoralists and people generally. There are many elements of the current situation which are illogical and need to be addressed. However, the passion which seems to surround the very mention of changes to the Aboriginal Sacred Sites Protection Authority and its act, and the passion often generated by the authority's director, has made rational debate difficult, if not impossible.

One matter which needs to be considered seriously is the constitution of the authority and its functions. Let me put it in simple terms. The authority is made up of the chairman and 11 other members, not less than 7 of whom must be Aboriginal people chosen from nominations received from the land council. That is fine and nobody has any argument with it. If I may speak from some knowledge of the operations of the authority, there are Aboriginal representatives from central Australia, the Top End and the east and west of the Northern Territory, giving the authority broad regional representation. The functions of the authority are set out in section 13 of the act. The first function is to establish and maintain a register of sacred sites. The procedure for registering a site involves an anthropological investigation

which details the justification for registration. Those details should include all the stories and information necessary to justify registration. The report is presented to the authority, whose members must then consider it.

The member for Arnhem is to speak in this debate and I hope that he will address this very simple question: does a person from the western desert country in central Australia have any right to the secrets or knowledge of a sacred site in Arnhem Land? I think his answer will be no. I would ask also whether that person from central Australia could comment on or disagree with a proposition in respect of a site in Arnhem Land. I think the member would say that the person could not do so. That is a problem because, as I understand it - and I hope that the member for Arnhem will address this - the 7 Aboriginal members of the authority are asked to adjudicate on the appropriateness of registering sites as sacred under the act when, I believe, they are not allowed under Aboriginal law to examine the evidence or to oppose the registration. Thus, the current operation of the act effectively places the power to make decisions in the hands of the white members of the authority. That is a major problem, Mr Speaker, and it must be addressed. It is certainly not the intent of the legislation.

I would urge honourable members to look carefully at the proposals contained in the bill before the House. Comment has been made about the processes in relation to women's sites. The member for MacDonnell raised that and it is an important matter. Obviously, men should not be adjudicating ...

Mr Lanhupuy: How many authorities do you want?

Mr HATTON: That is a very interesting question. How many authorities do we want? Certainly, there are real problems in dealing with some sites under Aboriginal law.

The bill provides for the establishment of committees of the authority to carry out proper investigations with the people who have responsibility for the sites, and they will be entitled to make judgments without reference to the general membership of the authority. That eliminates the necessity to provide secret information to people who are not entitled to have access to it. I ask honourable members to recognise that.

Part IV of the bill puts forward a proposal for a procedure to enter into a site avoidance process, in which no information needs to be provided on the secretness or sacredness of any particular site. That process has been shown to work very successfully in the Northern Territory. It was used during the construction of the Alice Springs to Darwin gas pipeline and, in Alice Springs, it was used to break the deadlock in respect of urban expansion into the Larapinta Valley. The procedures are valuable and should be further developed. I would submit that the proposals contained in the bill fit far more comfortably with Aboriginal tradition and law than do the current procedures. They provide a proper mechanism for protecting sites and for involving the appropriate people who, according to Aboriginal law and tradition, have the responsibility and authority to deal with particular matters. Such a mechanism would be of lasting value in accommodating the apparently competing needs of different sections of society. We should all be aiming for that objective.

Like other speakers in this debate, I do not believe that Aboriginal people are trying to block development. I think that certain people who are advising them may have that objective but I do not believe that the Aboriginal people have it. I think that they are looking to participate actively and

fully in the social and economic life of the Northern Territory and I believe that we should facilitate that as much as possible. We should be recognising and supporting the protection and enhancement of their religious and cultural life and history, as we would do for any other group in our society. In doing that, we need to be practical and realistic. I think that we are moving towards that. The Martin Report is a positive step and many of its recommendations are reflected in the bill before the House, a bill which can rectify some of the real problems which exist in the present legislation.

I urge the member for Arnhem to rise and speak in this debate. I understand, from the way he nodded his head earlier, that he will support the proposition which I have put forward. I ask for serious consideration of the mechanism which would be created by the formation of committees of the authority and of the sites avoidance approach proposed in the bill. Those are realistic measures.

The bill includes the capacity for declaration and allows for issues of detriment to be dealt with properly and openly. It may be that matters of detail and procedures can be refined in the consultative process which the Minister for Lands and Housing is now involved in. We should build on what we have, rather than tearing it down and starting all over again, as was suggested indirectly by the member for Barkly. We have a good foundation for developing a practicable and workable approach to what is a very contentious and emotive issue in the Northern Territory. I urge honourable members to think very carefully about the problems in the existing legislation, the work that the Martin committee has done, and the further work that has flowed through into the Aboriginal Areas Protection Bill, which is currently before this House. I hope that we can get some rational and honest debate going in the community in relation to the bill and its objectives, and work towards solutions without becoming involved in unnecessary, unpleasant, undesirable and emotional nonsense. Let us see if, for once, we can bring the Territory together to protect everybody's rights.

Mr LANHUPUY (Arnhem): Mr Speaker, I rise to speak on the report tabled by the Minister for Lands and Housing on 25 August 1988. The report was the result of the government's review of the operations of the Aboriginal Sacred Sites Protection Authority. My first reaction to the report was that the honourable minister concerned did not invite any representation from the Aboriginal community of the Northern Territory. I would have thought that, if the government of the day was in the process of reviewing legislation which affected the heritage, culture and social ceremonies of a specific group, at the least, it would have invited people from that specific group to participate in the review of that legislation.

I must make it clear that I am not reflecting on the personalities of members of the review committee. Those members included: Mr Brian Martin QC, who has had extensive experience in the Northern Territory in relation to legislation that affects Aboriginal people; Mr Don Darben, who has had a very wide range of experience; and, of course, Mr Creed Lovegrove. However, I am surprised that the Minister for Lands and Housing did not arrange at least some sort of representation on the review committee from either the Central Land Council, the Northern Land Council or the Tiwi Land Council. If those land councils do not necessarily agree with some of the comments or attitudes of this government, I am sure that there are other Aboriginal people throughout the Northern Territory who would have been suitable. People like Mr Gus Williams and Mr Harry Wilson come to mind, and I could name many others who would have been only too happy to assist this government in the review process.

The review committee was set up to inquire, report on and make recommendations in respect of its terms of reference. I would like to speak on only one aspect of the committee's terms of reference: that it investigate why use has not been made of the provisions of the Aboriginal Sacred Sites Act for the declaration of a place as a sacred site by the Administrator.

Under schedule 1 of the Aboriginal Land Rights Act, sacred sites within Arnhem Land, the Petermann Ranges and other reserves in central Australia are automatically protected under that act. We are talking about legislation that affects people on pastoral properties. For example, if a mining company expressed interest in going to Arnhem Land, the act requires the Aboriginal persons to define any sacred sites and their boundaries and to place the appropriate restrictions on them. Prior to any mining interest being shown in that area, the Aboriginal people did not have any fear in their minds about those sites. There was no need for them to attend a court of law and say: 'This is my land. This is a site that I need to protect'. There was no need for that. Aboriginal people on pastoral properties have to do that to ensure that their sites exist for them.

I cannot speak for the people in Alice Springs. If I did so, I would be infringing on their rights. I can only express a view. However, I would give my support to whatever cause they take up, whether they do so through the Central Land Council, the Tangentyere Council or any other organisation. I am sure Aboriginal members in Alice Springs would feel the same if they were to start talking about sites in north-east Arnhem Land, sites which affect me more than them.

I was interested to hear the member for Nightcliff suggest that we have difficulties in nominating sites when we go through some of the documentation that the Aboriginal Sacred Sites Authority provides in relation to possible sacred sites. He was quite right. Under those circumstances, sometimes Aboriginal people from the Centre are not allowed to look at documentation that may relate to a women's site in Arnhem Land, and vice versa. I wonder how many authorities the member for Nightcliff would like to see set up under the government's legislation to handle such matters. I can imagine the Minister for Lands and Housing talking to about 60 authorities throughout the Northern Territory, seeking clarification in respect of sites at places as far apart as Peppimenarti, the Tanami Desert and Groote Eylandt.

The Martin Report has identified some of the difficulties that all people in the Northern Territory have experienced since the enactment of sacred sites legislation. The Minister for Mines and Energy indicated earlier that many people have spoken to him about the operations of the act, and have sought his advice on how to overcome existing difficulties. My argument in those cases is, and I stress the point again, that the people on pastoral properties were removed from areas which they regarded as their own. This happened quite a long time ago, but those people were virtually herded out. The result was that they were not able to get back to their own areas to protect them. The legislation was not in place. Some of them would probably have forgotten about those places. However, within their minds and within their souls, and within their ceremonial cycles, something would have remained. The elder people would still have thought about those areas and would have known the significance of exact locations. Although the rights of Aboriginal people on pastoral properties have been recognised, such people living on pastoral properties have been reluctant to exercise them. This is a result of their long experience of pastoralists' attitudes.

Mr Speaker, we are now seeing a change of attitude. At present, Aboriginal people are saying: 'Look, we have a site there. It is up to us to define whether it is a site of significance or whether it is a sacred site'. The Minister for Mines and Energy has asked why more sites have not been declared. The reason is that, in many cases, no development had been proposed. In their own minds, Aboriginal people felt that their sites were protected.

If a mining company showed interest in my area and identified an ore body there, I would have to say that no mining could take place. If there is a site in an area where development is proposed, Aboriginal people will fight to support and protect that site. That is why Aboriginal people are beginning to come forward. Some time back, 5 to 10 years ago, they would have left it and said: 'Look, they are not interested in that area. Let us hope that they will stay away from it, that their grids and their exploration will take them somewhere else'. If that had happened, they would have been happy. However, once a mining interest is expressed in an area close to a site which is important to Aboriginal people, those people begin to panic. Emotional reactions are created and there are psychological effects on people, especially elderly people who would like to see those sites protected for the rest of their lives. That is the argument, Mr Speaker. That is the argument that I am trying to get across to honourable members who may not even understand what a sacred site is.

I have not been through most of my totems. I have not been to many sites which are significant or sacred to me. I do not think I will ever see some of them. I may be entitled to them but they belong to some other people. That is the fear that Aboriginal people have in relation to the legislation put forward by this government through which it proposes to disband the existing Aboriginal Sacred Sites Protection Authority, to do away with a number of positions for Aboriginal representatives on the board and to give the minister the power to declare sites. Mr Speaker, how would you feel if somebody told you that he will allow you to go to an area which you feel has always been yours? That is what the minister will be saying to Aboriginal people if the government's legislation proceeds. That is why so many people are putting so much pressure on not only the Territory government but also the federal government, which Aboriginal people see as their protector.

I agree with the member for Barkly who said that it may take some time to sit down and consult with all of the parties but that all of us want to see some sort of legislation which protects people's rights. We would like to have the sort of protection that the whites have had since they came here. We have the right to make representations to the government in order to obtain its protection. We are using that not only to the advantage of Aboriginal people in the Territory but for the development of the Territory generally. Of course, any consultation process would be long and hard. However, Mr Speaker, I can assure you that it will not be achieved at all if this government continues with its past approach to issues such as sacred sites and land rights. If it does that, it will achieve nothing and the them-and-us attitude will persist for a long time.

Mr Speaker, whose fault is it? Aboriginal people constitute 30% of the population in the Territory, and we have learned the process of democracy. We are learning to make representations through your channels. All I ask this government to do is to sit down and talk with the people. As I said earlier, there are obstacles to the development of the Territory towards statehood. The government is in the process of seeking the transfer of further powers from Canberra. If we sit down and talk about the sort of issues I have

raised, instead of arguing and fighting, we will achieve that aim. We have to sit down and thrash out some of our differences and, if we do that, I am sure that we will achieve our ends.

Mr SETTER (Jingili): Mr Speaker, there stands a man who quite obviously has been subjected to misinformation and indoctrination by his colleagues on the opposition benches with regard to this government's position on Aboriginal matters and, in particular, the protection of sacred sites. He has the impression that this government is set hell-bent on destroying sacred sites and that we do not respect them. Of course, that is absolute nonsense. If he takes the time to check through the records, he will find that, time and time again, members on this side of the House are on record as supporting and showing concern for Aboriginal sacred sites and a whole range of other matters, including health services, education and the supply of various other services to Aboriginal communities. He needs to understand once and for all that this government supports Aboriginal people, has a concern for their welfare and will continue to implement policies which it believes are in their best interests. Once and for all, he should wake up to the fact that he has been conned, probably for years, by his left-wing mates in the Labor Party.

The member for Arnhem complained that there was no Aboriginal representative on the review committee and I can understand his concern. He feels that the Aboriginal view would have been better represented if that had occurred. He has, however, missed the point. The review committee was bound by certain guidelines; its role was to examine the operation of the Aboriginal Sacred Sites Protection Authority. It was not set up to consider whether areas of land or hills or trees were sacred sites. Not at all. That is the role of the authority. The role of the review committee was to examine the operation of the Aboriginal Sacred Sites Protection Authority within the guidelines laid down and to report to the Chief Minister. It was not necessary to have an Aboriginal person on that committee, nor an Italian person, nor a Greek person, nor a Vietnamese person. The people who were on the committee certainly had the qualifications to undertake the role regardless of their ethnic origins.

I would like to refer to the comments made by the member for Barkly who philosophised and patronised, and told us what people on this side of the House are doing incorrectly and how we should do it. He said, and this staggered me, that we were pursuing a crash-through policy and that our attempts to pass the legislation which will come before the House at another time will never have a prayer. The member for Barkly would have one of the shortest memories of any member who has ever sat in this place. It is absolutely incredible. He was the person who, as Chief Minister, came in here late one night with an amendment to the Public Service Act. With no advance warning, not even to members of the government, the amendment was passed around. I received a copy and I said: 'What is this?' He said: 'Do not say anything. We are going to crash it through'. Standing orders were suspended and, wham bam, the member for Barkly pushed it through, only to find that, at the next sittings, it had to be withdrawn, if that is the right word. Nevertheless, out it came as quick as a flash because the reality was that he had stuffed it up. How can he stand there and accuse this government of attempting to crash through a piece of legislation he has said never had a prayer of success? That same member, as Chief Minister, was responsible for the greatest piece of crashing through that has ever occurred in this Assembly. I would like to hear his response to that. He will have time to respond when the legislation comes before this House in May.

There is no doubt that the Aboriginal Sacred Sites Protection Authority would probably be the most controversial organisation or authority under the umbrella of the Northern Territory government. More than any other organisation, it has created concerns in the community by its actions. I am not commenting on whether its actions were correct or incorrect. I am merely commenting on the fact that it has generated more media comment and more complaints to government about its activities - from landowners, pastoralists, the mining industry, developers and a whole range of other people - than any other organisation.

I suppose I should comment on the most current example of those controversies. I refer to the Devil's Pebbles outside Tennant Creek. A developer had rights to take marble out of that area and is now before the courts fighting a case against the Central Land Council or the traditional owners to try to confirm those rights. There is also the Mount Samuel affair. An application has been made for declaration of the site. As the Minister for Mines and Energy pointed out, it is the first such application in the entire history of the Aboriginal Sacred Sites Protection Authority, which dates back to 1976. One assumes that hundreds of sites have been registered, but only 1 application has been lodged for declaration, even though the act allows for declaration in the case of all sites registered.

Because of concerns and complaints received by the government over a long period, it was decided that it would be appropriate to establish a committee to review the operations of the Aboriginal Sacred Sites Protection Authority. We all recall that the minister announced that the committee had been established and would proceed with its task. Mr Speaker, I would like to refer you to its terms of reference. I will quote from the minister's speech when tabling the report:

To inquire into, report upon and make recommendations in respect of: (a) the philosophy and policy regarding laws designed to appropriately protect areas which are sacred or otherwise of significance for Aboriginals; (b) the laws and the effect of the laws of the Northern Territory of Australia relating to the protection of, and prevention of desecration of, sites in the Northern Territory of Australia that are sacred to Aboriginals or otherwise of significance according to Aboriginal tradition, including sites on Aboriginal land within the meaning of the Aboriginal Land Rights (Northern Territory) Act and, in particular, laws regulating or authorising the entry of persons on the those sites ...

It shall examine the procedures and practices adopted by the Aboriginal Sacred Sites Protection Authority and may inquire into circumstances surrounding the registration of any particular site or sites as sacred sites in the register established and maintained by the authority under the provisions of the Aboriginal Sacred Sites Act, investigate why use is not being made of the provisions of the Aboriginal Sacred Sites Act for the declaration of a place as a sacred site by the Administrator; and consider whether or not the composition of the authority is appropriate for its functions.

The Board of the Aboriginal Sacred Sites Protection Authority is made up of a group of Aboriginal and non-Aboriginal people who are, in my opinion, very genuine. I know a number of them and I know that they are very concerned about matters Aboriginal and, quite rightly, concerned that sites be preserved. I believe that the difficulties which the board has in carrying out its role do not arise because the members of the board are not competent

or capable but as a result of difficulties which the member for Arnhem outlined a moment ago. He told us that, as an Aboriginal person, he would have difficulty dealing with a matter or a site which related to people in central Australia. Further, he told us that some of the people from central Australia, as well as himself, would have difficulty in dealing with matters relating to women's sites. I can understand that, because it is common knowledge that Aboriginal people belong to various skin groups and that, in dealing with such matters, there may be difficulties between one skin group and another. I raise the question of how Aboriginal members of the Aboriginal Sacred Sites Protection Authority, who belong to different skin groups, are able to assess, comment on and deliberate on sites belonging to people from other skin groups and how Aboriginal men can deliberate on women's sites. I am not an expert but I am of the opinion that women's sites are matters sacred to women and men are not allowed to have knowledge of them. I ask again, how can the male Aboriginal people on the authority deliberate on those women's sites? I would like that question answered.

Some doubt has been raised in the community about the quality of the advice that has been given to the board in the past. I have already mentioned a couple of sites which are causing concern in the community at present, but the fact is that site after site has caused the same sort of dispute and the same sort of concern. The examples which I mentioned are simply the latest in a long string of episodes involving sites. Almost every time a site comes up for registration, particularly in an area where mining or other development is likely to take place, there is a dispute. That has been happening since 1976. The issues need to be resolved. We cannot continue to have a major dispute every time somebody wants to mine or develop an area. That is unfair to all parties concerned.

The other aspect of the matter which needs to be addressed is the fact that, as I understand it, all sites are declared sacred sites.

Mr Collins: Registered sacred sites.

Mr SETTER: They are all registered as sacred sites when, in fact, they do not all have the same significance in Aboriginal law.

Mr Speaker, the minister indicated that he would seek public comment and that he would consult widely. I quote from page 3 of his statement:

Mr Speaker, it is my intention to seek public comment both in respect of the report and issues concerning sites generally. In particular, I seek comment from the Aboriginal community, the Aboriginal Sacred Sites Protection Authority and other interested parties, such as the Commonwealth government.

That course of action is quite appropriate because all of the people, organisations and groups mentioned by the minister have an interest in this matter and should be consulted. They are being consulted and their views will be considered. They will be heard and, when the legislation is finally debated in this House, doubtless all of those views will be expressed. That is the way it should be. That is democracy at work.

The minister also commented on a number of recommendations contained in the report. I do not intend to go through them individually but, clearly, they have been incorporated into the bill in a different format.

I look forward to continuing debate on the legislation during the May sittings of this House. If past experience is any indication, the debate will probably be long and heated. Also, there will be considerable public comment because it is the sort of legislation that the media will seize upon. Naturally, the opposition will seek to make as much political capital as possible from it. History shows that members on this side of the House are not concerned about or afraid of becoming embroiled in that sort of debate. We will come into this place and fight for what we believe to be true, right and correct. In this case, we have picked up the recommendations of the Martin Report and incorporated them in a bill. The legislation, which will be debated in this place during May, will express the views of this government.

Mr Speaker, I support the minister's statement.

Mr EDE (Stuart): Mr Speaker, there are some members opposite who would have you believe that the Auschwitz operation was a welfare program for international Jewry.

There is nothing in the Martin Report which justifies any of the changes proposed in the legislation. In fact, it is very hard to see how the body of the report justifies a number of the final recommendations. For example, it is recommended that the director not be a member of the board of the authority, yet nothing in the report builds up an argument for that recommendation; it is simply stated as a final position. There is no pressure from traditional owners for change. They have not been saying that the legislation is inadequate or unsatisfactory.

When we look at the de facto situation in terms of the current legislation, we see that it begins with registration. Having been registered, a site is a site for the purposes of the act. What insoluble problems does that present? I look forward to the minister's enumeration of the problems because he certainly did not take the opportunity to identify them when he presented this report. What problems have not been able to be sorted out by negotiation? Which problems have been so insurmountable that negotiation and goodwill could not overcome them?

Honourable members have spoken of the fact that Aboriginal people are pro-development. They want jobs and they want the benefits of the development. That is a fact. However, development does not mean and must not mean a weakening of the position of sacred sites. It is not a matter of balancing one thing against another. Aboriginal people do not say: 'Development is here and sacred sites are there and we can have a bit of this and a bit of that and if we have more of this we have less of that'. That is not the way that it operates. Sacred sites are paramount. They come first. People want development but they want it to avoid sacred sites. Ultimately, the Northern Territory government will recognise that some development proposals will not go ahead because of sacred sites. That is a fact of life in a society like ours and it will remain so for as long as we continue to hold any respect for the rights of indigenous people. Just as some development proposals will not go ahead because of environmental considerations and others will not proceed because of planning considerations, some will not proceed because of sacred sites. In a society like ours, we have to come to terms with that.

The minister asks why people do not proceed to have sites declared. Members of the Aboriginal Sacred Sites Protection Authority have told me, and their comments are borne out by the results of court cases, that declaration does not offer any level of protection over and above that which is secured by

registration, and that brings me to an important point. A sacred site is a fact. It is not something which is determined by a decision of a minister or the Administrator. The minister cannot decide whether Mount Samuel, Gosse Bluff or the MacDonnell Ranges exist as physical entities. Similarly, he cannot decide whether or not a sacred site exists. It is a matter of fact, just as the existence of a particular geographical feature is a matter of fact. When Aboriginal people register a site, they are simply putting in writing what they know to be fact. If the minister asks them then to go a step further and ask himself or the Administrator to decide whether that is true or not, they will reject his request outright. The basic principle is that a site either exists or does not exist, and the minister has nothing to do with that.

During the course of this debate, we heard some sweet noises from the Minister for Mines And Energy. I hope that they represent a change of view on his part. I share the frustration of Aboriginal people with this government's seeming inability to get it right in relation to this issue. Why can't it put the matter behind it? Why can't we have legislation which is the outcome of agreement between all parties, which is seen by all to be fair and reasonable and which takes cognisance of the reality of sacred sites? Even this government was able to negotiate fair and reasonable agreements in relation to Gurig National Park and the Katherine Gorge. Why, then, does it find it impossible to come to grips with the fact of sacred sites? Why can't the government get its act together and work out amendments which can be negotiated and agreed to so that the various parties can deal with the reality of sacred sites in the development process?

The member for Barkly said that the measures will not satisfy everybody and that some may want to go further. That may be a fact. It may be that some Aboriginal people want to go further in relation to issues such as the extent of areas of influence. People might also come up with issues in relation to detriment or a host of other things. That may occur in the future.

Mr Speaker, let us have a look at what we do know. We know about the fact of sites. We know of their importance to Aboriginal people. We know that we live in a society which will not develop constitutionally until we demonstrate the maturity to deal with those issues. Let us use this debate to reject the legislation before the House and to return to the basic premise that we accept the fact of sacred sites, that people know where those sites are and that they will not be destroyed. When we have accepted those premises, we may then be able to discuss how a concept which is essential in Aboriginal law can be transposed into non-Aboriginal law, so that those 2 bodies of law can operate in tandem. As long as the 2 bodies of law are at cross-purposes, there will be disputes and arguments which will hamper our developmental thrust. When we acknowledge the reality of sacred sites in the same way as we acknowledge environmental and planning considerations and the physical features of the land, we will have demonstrated an understanding of our social, political and physical environment which will enable us to start moving on development.

My position is that I believe categorically and absolutely in the inviolate nature of sacred sites. I do not consider that any minister has the right to decide that a site will be bulldozed. I believe that the government should accept that point of view and sit down with Aboriginal people to develop a means by which this or any succeeding government can negotiate with Aboriginal people in relation to other issues, such as detriment. The issue of detriment does not relate to a piece of land purchased after sites upon it have been registered but to land purchased in good faith prior to registration

in the belief that development could proceed upon it without impediment. Another issue relates to the extent of zones of influence. The government should be talking to traditional owners and Aboriginal people generally about these matters in an effort to devise mutually ways of addressing the issues.

Negotiation has solved problems in the past but people are wary. They are worried that, for its own political ends, the government might beat up the issue in the context of an election. The government should take the matter out of that sphere and, in consultation with the Aboriginal community, devise a process which can sort out the problems outside the public and political sphere. This can be done if the government is prepared to accept in good faith that the existence of sacred sites is a fact. Those matters can be negotiated if honourable ministers will accept the existence of sites in good faith and will accept the ability of Aboriginal people to state what those sites are, rather than attempting to make the declaration of the existence of those sites subservient to legislation.

The report contains some excellent analytic material. I am disappointed that the majority of the recommendations do not appear to follow on from the contents of the report itself and I am far more disappointed in the honourable minister, who has tended to disregard both the analysis and the recommendations to take another jump into the unknown, into an impossible world of amendments which, fortunately, he has withdrawn for the present. I certainly hope that they never see the light of day again.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, one of the real successes of Rt Hon Margaret Thatcher, Prime Minister of Great Britain, has been the way she has handled industrial relations. I believe that there is a lesson in the way in which she went about achieving that. If Prime Minister Thatcher had made a habit of charging in with legislation, she would not have been very successful. I will explain what I mean by that.

In Britain today, if the leadership of a union suggests strike action, the decision as to whether a strike occurs or not is made by the union members. They receive ballot papers at their homes, where they can sit down away from the pressure of meetings and make a decision. This removes the threat of thuggery, which occurred in former times when people who had doubts about following the line of the union leadership were threatened with violence. Unionists can sit down with their families, discuss the merits of the issue and vote by secret ballot. That is how union members in Great Britain now make decisions about strike action. I have described the system in this place on previous occasions as an illustration of how Margaret Thatcher has restored democracy to the union movement in Britain. Industrial relations are infinitely better now than they used to be in Britain, which is emerging from the doldrums it has been in for many years.

My point is simple. If Mrs Thatcher had attempted to force the issue too early in relation to the secret ballot system I have just described, the union leadership would have stirred up its members and the sort of them-and-us situation referred to by the member for Arnhem would have been created immediately. In spite of the logic of the Prime Minister's arguments, there would have been strikes and the whole move would have fallen into chaos with a strong probability of the Prime Minister having to withdraw. What the good lady did, Mr Speaker, in the first year of her Prime Ministership, was to make some very small changes in the industrial relations area. She was roundly criticised by her own people within the party and by people around the traps. She was told: 'You are too weak, you are too weak'. Nevertheless, she achieved the small amount of change that she wanted and, in the following year, she made further changes. There is a lesson there for all of us.

Mr Ede: Next year she will bulldoze Westminster Abbey.

Mr COLLINS: Don't be an idiot.

Each year, she made some further changes and, in the course of that process, she built up good faith with the union membership so that, after 5 years, she was able to achieve what she had set out to achieve. She had set her goals. She was prepared to take her time over achieving them and prepared to establish her own bona fides in good faith with the workers.

Today, 5 years after Mrs Thatcher achieved her goal, I am told that the workers in Britain like to be consulted by the union leadership. They are in control for a change. In the past, the leadership told them what they could do and what they could not do, when they would go on strike and when they would not go on strike. The system was totally undemocratic, particularly the closed shop. The strong arm would be extended when anybody objected to the leadership's behaviour. Such people were told: 'If you don't toe the line, we will take away your ticket'. In a closed shop, the loss of a ticket means the loss of a job. That was the sort of stranglehold unions had on the workers.

The message for us is that we may well find ourselves far more successful in changing the sacred sites legislation - and I believe it contains many glaring inadequacies - if a gentle approach is taken. The sort of approach I have described is a good approach, an approach which is acceptable to the community, and that means the Aboriginal people too. We should take small steps. If we do that, the good faith will work through. People will see that change is acceptable and that there are advantages to the overall community, and they will be in a good frame of mind to accept further steps.

I must confess that I experienced some regret when, at the December sittings, I had to withdraw my private member's bill because it was obvious that the government would not support it. I regretted that the government did not bring on its own bill for debate at that stage. We will not debate it during these sittings. Most probably it will not be introduced until May. In hindsight, I regret that I did not proceed with my bill even though it was bound to be defeated, because I believe that the amendments which I proposed were basically fairly gentle ones. From my experience of problems which had arisen in Alice Springs, however, the measures which I was suggesting were wanted by Aboriginal people and should have been considered by this House. If agreement could have been reached on them, it would have been a step in the right direction. Perhaps we will not achieve what everybody wants but we might be able to take some steps in the right direction which might be agreed to by most people and which Aboriginal people will see the advantages of.

I remind honourable members of some of those steps which I proposed in my private member's bill. The first related to the fact that Aboriginal people within an area wanted to have the right to know who the Aboriginal Sacred Sites Protection Authority considered to be the traditional owners of sites within that area, without actually pinpointing the sites. They wanted that information because they had some doubts as to the validity of the authority's decisions as to the identity of the traditional owners. If they knew who the authority considered to be the traditional owners, they could get the people together and thrash out the issues, and I have a great belief in the capacity of the Aboriginal people to be able to achieve that sort of thing. If they had access to the authority's list of custodians, they could ensure that its contents were acceptable to Aboriginal people, and that the correct people had been listed in relation to particular sites, in accordance with the correct pecking order.

My bill also proposed that, when a developer is told by the Aboriginal Sacred Sites Protection Authority that a sacred site will prevent his development, he should have recourse to the officers of the Department of Lands and Housing who deal with the authority. Those officers would not know where the sacred sites were, but they would be privy to the identity of traditional owners within a particular area so that they could act for the developer and confirm whether or not the version of the situation put forward by the traditional owners was or was not in accord with that given by the Aboriginal Sacred Sites Protection Authority. If it was not in accord, they would be able to carry out further negotiations. That would provide a check. The traditional owners would be protected because the developer would not know their identity, but departmental officers would be able to act as a link. I believe that there is a very good chance that the community would welcome such an approach.

The third aspect of my bill related to the declaration of sites. At present, only the Aboriginal Sacred Sites Protection Authority can apply to the Administrator for a declaration. I believe that that is wrong and so do Aboriginal people whom I have spoken with. They feel that the custodians of a site should be able to instruct the authority to seek declaration of a site if they have absolutely no doubt that it is a registered site. The declaration process, of course, is one which tests the validity of a registration, and anyone who disputes it should have the opportunity to do so. The intention of the act has always been that, if a site is proven to be a sacred site, the Administrator declares it and it receives the full protection of the law. However, the first declaration is occurring only now, with Mount Samuel. Really, the intention of the act has been thwarted.

My point is simply that custodians should have the right to tell the authority that they want a site to be declared. When Mr Bob Ellis came to my office to discuss my proposals, he said that Aboriginal people had more important things to do and that the authority had been able to persuade them that the declaration process was not in their best interests. I do not believe that that is correct. Declaration of a site gives it the protection of the full weight of the law and, if it is a fair dinkum site, that is the way it should go. On the other hand, if a site is not fair dinkum and is exposed as such, not only should it not be declared but it should be removed from any register of sacred sites. It would apply both ways which I think is reasonable, and fair to the community.

In order to achieve our aims, we should move gradually, little by little. That gives people a chance to consider each step fully, and to realise that the direction is good. The workers in Britain today are very happy that their leadership consults them on any proposed strike action. Instead of doing that, the legislation put forward by the minister attempts to go the full way. We should be taking small steps over several years. The broad community will accept those steps if it sees them to be fair, reasonable, honest and good. If we take the long-term view and proceed step by step in relation to sacred sites, we will arrive at a situation which everybody will accept in the belief that fairness prevails. The matter is important for us because the people in Canberra are watching. If we want to achieve statehood - and I would have it yesterday - we have to demonstrate that we can do things fairly and decently. If we can do that, we will have a very strong argument in our favour in terms of achieving our goal of statehood.

Mr Speaker, although the House is not currently debating the legislation relating to sacred sites, I want to draw to its attention the fact that the radio station run by the Central Australian Aboriginal Media Association is

linking 2 matters very strongly. The influence of that radio station is being felt by Aboriginal people. The first matter is the government's Aboriginal Areas Protection Bill, which is being portrayed as a part of a gung ho approach. Whether that is a fair assessment or not, that is the way the bill is being portrayed. The second matter is the flood mitigation dam in Alice Springs. I can see the connection between the 2, but I am concerned that condemnation of the sacred sites legislation is being tied in with a condemnation to the flood mitigation dam.

That dam is vital to Alice Springs. I am sure that all members of the House are aware of the potential for flood damage in Alice Springs. An absolute disaster could occur as a result of a flood of the magnitude of those which occur about once in 100 years. There could be over \$50m-worth of property damage and horrendous loss of life. That loss of life would have effects on people and echo down the years. We need that flood mitigation dam very urgently. I would hate to think that the Aboriginal Areas Protection Bill could be used as a whipping boy to stir up the traditional owners of the Welatje Therre site at the Telegraph Station and result in their objecting to the construction of the dam wall, leaving Alice Springs vulnerable to a most damaging flood.

I ask the government to take that matter on board. It is by no means unimportant to me and I am sure that it is not unimportant to the people of Alice Springs. I am sure that the minister will take it on board because I believe he can see what I am driving at. Whether it is a fair argument or not, that is the message which is being issued through CAAMA. It would be very bad indeed if construction of the flood mitigation dam were prevented because of what is being portrayed as a rather heavy-handed attempt to change legislation affecting sacred sites.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I rise to make 1 point in this debate. I wish to clarify in the minds of members the position of the Northern Territory government in its relationships and dealings with Aboriginal people. This debate has not been too bad but, in other debates in the last week or so, some quite outrageous statements have been made to the effect that the Northern Territory government cannot be trusted with Aboriginal affairs or to make good decisions for Aboriginal people and, in the light of that, cannot be trusted to make decisions for the rest of the Territory. I would like to put on record the real situation in the Northern Territory as far as this government's dealings with Aboriginal people are concerned. Let us look at some of the things that we have in place in the Northern Territory which are not in place anywhere else in Australia. Nobody around this country holds a candle to the Northern Territory government in terms of its work and efforts on behalf of Aboriginal people.

As a first example of this government's efforts, let us look at the community government system which, although not designed solely for Aboriginal people, works extremely well in Aboriginal communities and is able to be developed by Aboriginal people to suit their needs and traditions and their traditional boundaries. It enables their communities to do all sorts of things which they choose to do. In fact, nobody else in Australia - no other government, no other agency - has anything like that for Aboriginal people.

Education in the Northern Territory for Aboriginal people is far better than anything which exists anywhere else in this country. No state provides institutes such as Batchelor College or provides training in the sorts of skills that we provide to Aboriginal people. Batchelor College is unique, and

other states have their eyes on it. The Commonwealth has its eyes on it and would like to have responsibility for it because of the kudos it brings. The Commonwealth does not over-fund the college; in fact, the Northern Territory government picks up by far the greater part of the tab. The college sets its agenda in conjunction with the Aboriginal people and provides a service that is provided nowhere else in this country.

Take the example of the Aboriginal Health Institute. Nobody else in this country is doing anything like it. We are the only government in Australia that has truly stood up for Aboriginal people and really provided them with the services that they require. When we look at housing and roads and other services in remote communities, it is clear that we lead the country. Nobody does it as well as we do and that is recognised by the federal bureaucracy. It is not stated by the politicians because they fear the strength such statements would give to the Territory government. Nobody else in this country does anything on a par with the Northern Territory government when it comes to dealing with Aboriginal people.

It is ludicrous to say that we cannot be trusted with matters relating to Aborigines or their land. To say that we cannot be trusted in relation to sacred sites is ridiculous and members opposite know it. The Commonwealth departments which deal in Aboriginal affairs know it. They are ashamed of their performance when they compare it with the performance of the Northern Territory government. When one talks to their officers, they say: 'We cannot match you'. No state can match us and they admit it quite frankly. Nobody is handling Aboriginal affairs as well as the Northern Territory is. Nobody is looking after Aboriginal people as well as is done in the Northern Territory.

I get sick and tired of listening to people on the other side of this House saying: 'You cannot be trusted with Aboriginal affairs'. God forbid that they should ever be in government! If that ever happened, they would be forced to live with the restrictive laws which the Commonwealth has imposed on us and on Aboriginal people and they would find themselves, as we occasionally find ourselves, having to dispute a land rights claim for the benefit of the rest of the Territory. However, such disputes are minimal. Generally, there has been minimal opposition to land rights.

The Northern Territory Country Liberal Party has support for land rights as part of its platform. Many people may not know that but it is stated there in black and white and we believe in it totally. We understand the need for Aboriginal people to control their own land. Through community government, we have given Aboriginal people the mechanisms to control their own land. Nobody else has tried to do that; they would not be game. Governments in other parts of this country are afraid of Aboriginal people. We are not. We give them power. We are the only government that has ever given them the power to run their own affairs.

The only government in Australia that can be trusted with sacred sites legislation is the Northern Territory government. Nobody else has it and members opposite only display their stupidity when they criticise the government's efforts in this area. Sometimes I believe that we let them get away with too much. They move around in the wider Northern Territory community and say outrageous things which contain no truth whatsoever.

Moves to amend sacred sites legislation in the Northern Territory are rational. They will be carried out with due consultation. Unfortunately, such consultation has been difficult in the past. However, Aboriginal people throughout the Territory are now coming to the Northern Territory government

and saying: 'You are the only group of people doing anything for us. We do not trust the others any more. They come out here in droves and talk to us, but they never deliver. You are the only people who deliver'. The more I travel among Aboriginal communities - and I probably do that more than anyone else in this House - the more I am told the same thing: 'We trust you. You deliver'.

Mr Deputy Speaker, I support the statement.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I was not a member of parliament when this report was tabled. I do, however, have a few points to contribute. I was very interested to hear the Minister for Labour, Administrative Services and Local Government say that Aboriginal people trust the government. My information contradicts that. In fact, it suggests that the opposite is the case.

Last week, in a statement concerning the flood mitigation dam in Alice Springs, the Minister for Mines and Energy said that full and proper consultations were proceeding with the traditional owners. I had no reason to disbelieve him apart from an article in the Centralian Advocate which I mentioned in an adjournment debate last week. That article, written by an officer of the Aboriginal Sacred Sites Protection Authority, stated that there had been very little consultation.

During the weekend, I took the liberty of contacting people from the Aboriginal Sacred Sites Protection Authority, both in Darwin and in Alice Springs. The impression I have formed from my discussions with them is that the government has a credibility problem in Alice Springs. I should say here that the consultation which has occurred has been with officers of the Power and Water Authority. Certainly, the technical presentation which they offered to the traditional owners was excellent. There is no doubt about that. However, the people from the Aboriginal Sacred Sites Protection Authority were asked not to speak at that meeting. They spoke only at the very end of the meeting.

The Aboriginal people distrust the government because of what occurred at the Barrett Drive sacred site a couple of years ago. They also have a fear that the dam will be built in such a way that, ultimately, it will form the basis of a recreation dam for Alice Springs. The government has a credibility problem and, if the Minister for Mines and Energy does not go to Alice Springs to consult directly with the traditional owners, I believe that there will be procrastination in relation to the flood mitigation dam.

Mr McCarthy: It depends who you talk to.

Mr FLOREANI: I have had my consultations and that is how I see it at the moment.

I agree with the member for Sadadeen when he says that the government will have to adopt a long-term strategy in relation to sacred sites. It will have to approach the matter step by step in order to regain credibility and trust among Aboriginal people in central Australia.

Mr SMITH (Opposition Leader): Mr Speaker, this is probably the most reasonable and sensible debate I have heard on an important Aboriginal matter since I have been a member of this House. I have been a little surprised and somewhat impressed by the sensitivity which honourable members have shown in their contributions. I would like particularly to single out the Minister for

Mines and Energy in that respect. The content of his contribution certainly surprised me. His words were conciliatory and moderate. Obviously, he has severe reservations about some aspects of the present system but he presented a fairly balanced point of view tonight. However, as the member for Flynn pointed out, the minister's problem is one of credibility. His past actions have certainly not been consistent with the statements he has made tonight.

I hope that what we have seen tonight is the beginning of a new government approach to this matter. The message coming from most speakers - surprisingly, in some cases - is that there is a need to consult actively with Aboriginal people because the sacred sites issue is of vital importance to them. The fact that we are discussing this report now, after the government has deferred consideration of its sacred sites legislation, is an example of how the consultation process has fallen down. This debate should have taken place during the last sittings. Following that debate, the government would have been better placed in terms of its understanding of the view of this parliament.

The debate has been encouraging. I hope that the government will learn that there is a fairly widespread acceptance of the need for some changes to the existing legislation. Those changes should be made only after extensive consultation. Judging by what I have heard tonight, the government could deal with all of the matters of concern by amending the present act. No rationale put forward tonight justifies throwing out the present act and replacing it with the legislation on which consideration has been deferred.

If I can put myself in the government's shoes, there are 2 main areas of concern. One of those is the personal conflict which has developed between the various Ministers for Lands and Housing and the Director of the Aboriginal Sacred Sites Protection Authority. We all know that he is a very feisty individual but, on a number of occasions ...

Mr Manzie: I have never had conflict with him.

Mr SMITH ... he has bested the government both in legal argument and, perhaps more gallingly to individual government members, in the media. That, however, should not detract from consideration of the real issues.

The central issue revolves around the need to demonstrate to Aboriginal people that we recognise and value their sacred sites. We should accept that those sites are sacred to Aborigines and come up with a system which accommodates that whilst dealing simultaneously with the legitimate concerns and anxieties of the people who have other interests in the areas of land in question. Those people include miners, pastoralists, tourist operators and so forth.

The central challenge is to provide recognition of sacred sites whilst in some way addressing the questions of detriment and the general good of the Northern Territory. The government cannot get away from the fact that, if it is serious about accepting the concept of sacred sites and the fact that Aborigines have a different and more meaningful attitude towards their land than we do, it must provide them with a basis for the recognition of those sites. I want to be fairly careful in my choice of words here. The government must provide Aboriginal people themselves with the right to say what their sacred sites are. The government cannot get away with giving the minister of the day the power to determine what is or is not an Aboriginal sacred site. Clearly, Aboriginal people themselves must have the right to say what is a sacred site. I think the Aboriginal Sacred Sites Protection

Authority has done a pretty good job - and a pretty objective job - in identifying Aboriginal sacred sites.

Of course, there have been problems when sacred sites have been identified after development proposals have been put forward. Such problems reflect an essential conflict in cultures. It may be possible to create mechanisms which enable people to come to grips with such problems, but I am not in a position to describe such mechanisms in any detail. The basic point remains, however, that Aborigines need to have the power to say: 'These are sacred sites'. Once that is accepted, we need to consider questions of detriment. Obviously, another process needs to be put in place. Essentially, that is where the present act has fallen down. The declaration procedure under the present act allows for questions of detriment to be addressed but, because the Aboriginal Sacred Sites Protection Authority has not applied for the declaration of sites, the procedure has not worked properly. Clearly, that is a basic weakness in the present act. We need an official and formal process which will address questions of detriment and make determinations. If that means that a declaration stage is required, that is perfectly appropriate. The question is then: how should declaration be accomplished?

I think it is fair to say that there are still some points of conflict on this side of the House in terms of how the declaration process should work and where the ultimate responsibility should rest. It has been argued that the legislation proposed by the government is based on a model similar to that used by the Commonwealth. There is, however, an important difference. The politician who makes decisions in such matters at the federal level is the Minister for Aboriginal Affairs, whose sole responsibility is for matters connected with Aboriginal affairs. The Northern Territory government is proposing, however, that the minister responsible for making decisions in respect of Aboriginal sacred sites should be the Minister for Lands and Housing, who has a range of responsibilities not directly connected with Aboriginal affairs and, in some cases, perhaps quite contrary to the interests of Aboriginal people. We have to recognise that difference. We cannot argue blindly that our system is similar to the federal system. In an extremely important area, it is very different indeed.

The key questions relate to detriment. How is it determined and by whom? As I have said, members on this side of the House are still arguing that out. I have no doubt that a solution exists and that such a solution will enable Aborigines, miners, pastoralists and others with legitimate interests to put forward their arguments so that cases can be properly assessed and decisions made. We still have not come to agreement on who should make those decisions and so the view I put is a personal one rather than one which has been decided by caucus. I have no difficulty with the responsibility for decisions in respect of detriment resting with the relevant minister. That is consistent with the principles of parliamentary democracy. If that is to occur, however, we need to consider the process used to supply information to the minister.

That brings me to the crux of the opposition's concerns in relation to the government's proposed legislation. The structure which is to supply information to the minister does not safeguard the interests of Aboriginal people sufficiently. If the minister is to make the final decision in respect of matters of detriment, Aboriginal people will want very firm guarantees that the processes and structures which provide information to the minister will protect their interests adequately. Whilst again this is a personal view and not one which has been arrived at by caucus, it seems to me that the use of a land commissioner may be appropriate. I know that some problems have been identified in relation to that, but the land commissioner model has certainly gained the confidence of Aboriginal people and could be sold to them.

That is about the extent of the comments that I want to make but I do want to reiterate my first point. A surprising degree of unanimity has been expressed here tonight on the problems and on a way towards the solutions. I am encouraged by that. As a result of this debate, which should have taken place at the last sittings, I hope that the government will take a couple of steps back, will consider the views that have been put forward here and will do what it has not done so far, which is to consult actively with Aboriginal groups. The government needs to reconsider the possibility of solving the problems by amending the existing legislation rather than putting forward entirely new legislation. We need to retain the provisions which are important to Aboriginal people whilst solving the problems which - as everyone is prepared to accept - exist under the present act.

Such an approach will prove to be far more fruitful than chucking out the existing act and getting people's backs up so that a conflict situation results. I have no doubt that, if the government were to pass the Aboriginal Areas Protection Bill, a Noonkambah situation would develop very quickly in the Northern Territory, indeed within the first couple of years of the legislation's operation. Nobody wants that; it is completely unnecessary. It is interesting to note that, in spite of the fact that people are always talking about the problems which arise under the present act, there has never been a Noonkambah-type confrontation in the Northern Territory. Despite the act's deficiencies, we have been able to work through the problems. A little research into newspaper reports shows that, despite the various flashpoints which have occurred in relation to sacred sites over the years, the problems have been resolved in one way or another. That is because, deep down, there has been goodwill on both sides. It is important to preserve that goodwill. It will not be preserved if the present act is chucked out and replaced with the government's Aboriginal Areas Protection Bill.

Mr MANZIE (Lands and Housing): Mr Speaker, in the short time available, it will not be easy to cover all the points that have been made by honourable members. It was extremely disappointing to hear many of the comments made by honourable members because so few of them addressed the issue before the House in a factual way. I will try to run through some of those comments and give my views on them.

I was very disappointed by the comments of the member for MacDonnell. He did not address the contents of the Martin Report and he did not comment on a single recommendation of the review committee. Those recommendations and the consequences which would flow from them are, of course, most significant. The member commented on a complaint about lack of consultation and referred to women's sites. He said that there were no problems with the Aboriginal Sacred Sites Protection Authority as it functions at present, that we should work with it and that we should not make any major changes. He also said that legislation should take some account of the diversity between European culture and Aboriginal culture.

A number of members mentioned consultation. In fact, there has probably been more consultation on the Aboriginal Areas Protection Bill than on almost any other bill that I can recall in this House. The Martin Inquiry began some 18 months to 2 years ago. A large number of submissions were made in the course of that inquiry by numerous individuals and groups, including the CLC, the NLC and various church organisations. Following that input, the report was prepared, including its recommendations. The report was tabled in last year's August sittings and, as a result, legislation was introduced in October. It is now February, and the legislation will not be debated until May at the earliest. Clearly, the review process provided a constructive

environment and considerable opportunity for people to make submissions and to comment on the operations of the Aboriginal Sacred Sites Protection Authority. That sort of process does not happen very often; it certainly provides an opportunity for the government to understand the attitudes of people. The facts completely contradict the argument that there was no consultation whatsoever.

It is very hard to respond to the member for MacDonnell because there was no relationship between the facts and his remarks. I will therefore go no further. I hope that, when we debate the bill itself, he will make a far more positive contribution. I can only say that I was very disappointed to hear so little of relevance to the review or the legislation from a member who represents an electorate which contains many Aboriginal people.

I was equally disappointed by the contribution of the member for Barkly. Essentially, he was saying: 'You are trying to bulldoze changes through the House. Leave things as they are. It is too hard to make changes and the federal government might not like it. Leave it alone'. Mr Speaker, we are supposed to be self-governing. We are supposed to have the ability, as Territorians, to exercise through this parliament the powers and responsibilities given to us under the Self-Government Act. One area of power and responsibility relates to legislation applying to sacred sites. As the member for Jingili quite rightly pointed out, the member for Barkly himself attempted to bulldoze through this House legislation which related to the Aboriginal Sacred Sites Protection Authority. He introduced legislation because he was angry. He had lost his cool in relation to the Director of the Aboriginal Sacred Sites Protection Authority. He made an absolute mess of it. He embarrassed himself and embarrassed the government terribly. We are not in the business of doing that.

Mr Ede: You did not have the guts to stand up and oppose him, did you?

Mr MANZIE: Actually, I was not in the House at the particular time. The member for Stuart would not know that because he was probably not in the House at the time, as is quite usual in his case. I was not in the building; in fact, I was not in the Assembly on that particular day. If the member for Stuart consults the Parliamentary Record one day, he will see whether or not I was in the House.

Mr Ede: That was pretty clever, wasn't it. You ducked and ran.

Mr MANZIE: If I had known it was to occur, I would have been here trying to stop it.

Mr Speaker, the member for Barkly's contribution to this debate was wimpish. It was appalling. He said: 'We must sit down and we must negotiate'. His attitude towards consultation was shown in the way he tried to settle the Uluru handover amicably. Again, it was a debacle. He purports to represent a number of constituencies but the best he can do is to say: 'It is too hard. Don't do anything. The effort is not worth a tinker's cuss'. Those of us who know the member for Barkly expect that sort of contribution from him but I suspect that some of those who read the record of this debate will wonder about him.

The member for Arnhem had at least read the proposed legislation. He actually talked about its contents. He said that there had been no consultation with those who would be affected: the Northern Land Council, the Central Land Council, the Tiwi Land Council and a range of other organisations

and individuals. Of course, land under the control of those land councils will not be affected by the legislation. Under the Aboriginal Land Rights Act, Aboriginal people totally control everything which occurs on their own land, including entry onto that land and any undertakings by mining companies. Aboriginal land is not subject to the Aboriginal Sacred Sites Act.

The legislation certainly affects pastoral properties and other areas outside Aboriginal land. The whole idea of the new legislation, which has grown out of the Martin Inquiry, is to de-bureaucratise dealings in relation to sacred sites by allowing the traditional owners and custodians to be involved directly in negotiations in relation to sites which are not the business of anybody but themselves.

The member for Arnhem asked how many authorities we would have, and suggested that we would need 60 or more. The fact is that the new legislation will make provision for the traditional owners and custodians to become involved. They have to become involved. People who have no responsibility or no business to know about particular matters will not be involved in discussions; that is the whole purpose of the new legislation. It is intended to take the matter of sites of significance back to the people on the ground, the people to whom they are important. They must not be argued about or decided by people who have no business to discuss them. I hope that the member for Arnhem will look very carefully at the legislation and will not rely on advice from other people. I hope that he will remember what he said in the House today and consider that in the light of what the proposed bill does. The legislation answers all his questions. It provides mechanisms for all the things that he is concerned about. He said that Aboriginal people are afraid that the government is trying to disband the authority, that it is doing away with Aboriginal representation and is giving the minister the power to do away with sacred sites. I will respond to those concerns in due course but I can assure the honourable member that the new bill will do nothing of the sort.

There was nothing in the member for Stuart's contribution which related either to the Martin Report or the proposed bill. He said a couple of times that the contents of the report did not support its recommendations but he did not refer to any specific examples. He stated that there were no problems with the present legislation and that the bill would weaken the position of sacred sites. Obviously, he has not read the bill. If he had done so, he would not say those things. There is nothing in the bill which gives any credence to his comments. He said that we cannot leave it to ministers to determine whether or not a place is an Aboriginal sacred site. Of course we cannot do that. The bill does not attempt to do that. I am sick to death of these unqualified statements which do not relate to the legislation in any way. The member for Stuart does not care what the bill says. His theme is: 'Do not worry about the truth. Let us tell some untruths to Aboriginal people. Let us lead them up the garden path'.

Members interjecting.

Mr MANZIE: I find that absolutely appalling. He says that we have to be aware of 3 facts. The first, he says, is that Aboriginal sacred sites are a fact of life. Of course, if he reads the bill, he will find that it makes it clear that there are sites. The second relates to the importance Aborigines place upon sites. Let the member read the new bill and see how it deals with that. The third fact, according to the member for Stuart, was that we would not achieve statehood until we adopted a mature approach in this area. I will talk about mature approaches in a moment.

The member for Sadadeen made quite a sensible contribution although I disagree with his suggestion that a softly, softly approach would be best. I believe that we should lay all our cards on the table with appropriate explanations. If, having done that, the issues can then be addressed, we will be much better off. The member for Flynn's comments were not very substantial in that context. Obviously, he has not read the legislation. I hope that he will do so because it is important that he understand an issue that is important for the Territory.

The member for Millner's contribution was quite positive. He said that everybody accepted that there was a need for changes to the present legislation regarding the protection of sacred sites. I was very pleased to hear about that. He made a number of other statements. He said that there must be an ability for Aborigines to make decisions in relation to sacred sites and the minister cannot decide. Again, the legislation is clear: the minister does not decide about sites.

Mr Smith: I did not say he did.

Mr MANZIE: You did. You said the minister cannot decide. The minister will not be able to. Who makes the final decision? How does he do it? You talked about possible Noonkambahs. We almost had a Noonkambah situation in relation to the Devil's Pebbles but, under the provisions of the new legislation, situations of that kind will not occur.

Mr Smith: Tell me why not.

Mr MANZIE: Mr Speaker, they will not occur because the legislation will require that the traditional Aboriginal custodians be directly involved in identification of sites, in avoidance procedures regarding sites and negotiations with developers. Neither the minister nor the authority should be involved in such matters. They are the province of the custodians and traditional owners, the people who have the concerns and the knowledge. Mistakes and misunderstandings will not occur because we will not be dealing through third and fourth parties. We will ensure that the people involved are those with a direct interest. Some people might think that some Aboriginal people are not capable of being involved in this way but I believe that they are.

The member for Stuart was quite insistent that the minister should not make the decisions in relation to sacred sites. He says that Aborigines do not trust the government and that the minister will bulldoze sites. It is obvious that he has not read the bill. If he had done so, he would not say such things. He is obtaining his information from groups such as the Northern Land Council. This is where problems arise. How can we negotiate with people who do not want to discuss what is in the bill or what is in the Martin Report? Instead, they want to believe the myths which they have been told about the contents of the bill and the government's intentions.

It has been disappointing to discover what the Northern Land Council has been telling Aboriginal people about this government's intentions. Mr Speaker, I intend to table a poster issued by the Northern Land Council. Its heading says: 'The Northern Territory Government Is Tearing up the Aboriginal Sacred Sites Act'. The poster has gone out to Aboriginal communities in areas controlled by the Northern Land Council and the Central Land Council, and it reads as follows:

The Northern Territory government says it will tear up the Aboriginal Sacred Sites Act early this year and replace it with a new law called the Aboriginal Areas Protection Act. From what the government has said, this is what it will mean. Over 500 sites now registered will no longer be registered and protected under Northern Territory law. No sites will be protected unless the Minister for Lands says so.

Mr Speaker, that is incorrect. Under clauses 42 and 17(4) of the new bill, there is provision for all present declarations to become automatically applications for declaration. There is provision that, unless withdrawn, they become subject to interim declaration. All sites which are presently declared will be protected under the new legislation.

Mr Ede: What about registered ones?

Mr MANZIE: Over 500 sites are registered and the member for Stuart asks: 'What about registered ones?' I wish he would take notice of what is going on in the House.

The first untruthful statement on the poster is, therefore, that there will be no protection under the new act. That is a lie because the new act is about the protection of areas of significance. Let us have a look at the next one, which is even worse:

Even on Aboriginal land, the Northern Territory Minister for Lands will have the power to allow mining, drilling, road building or any other activities to take place - even on those sites he agrees to protect.

Mr Speaker, Aboriginal people are receiving those great big posters. Hundreds of ground staff from NLC and DAA are telling Aboriginal people this.

Mr Dale: It is in Warren Snowdon's window.

Mr MANZIE: There you are, Mr Speaker. There is a copy of this poster in the window of the office of the member for the Northern Territory. How can sensible negotiations occur when this sort of lie is being perpetrated across the Territory by people trusted by Aboriginal people? Aboriginal people are being told that, under the new bill, I will have the ability to mine on Aboriginal land. That is too ridiculous to contemplate. This is the sort of line followed by the member for Stuart. He has not read the bill.

Mr Ede: That is absolute rubbish.

Mr MANZIE: Read Hansard and see what sort of rubbish you talked tonight. All you did was follow the CLC line.

This next quotation from the poster is absolutely unbelievable and, in fact, I have spoken to Galarrwuy Yunupingu about it. Do you know what, Mr Speaker? The Chairman of the Northern Land Council did not know what was in the bill but he said the poster had to be right. I do not know who is telling him what the new bill says but I would implore him to seek advice from another source. The poster says:

The Aboriginal Sacred Sites Protection Authority will be finished up. The authority has been able to take people to court to prevent damage to sacred sites and prosecute people who have damaged them.

The new bill makes provision for an authority and I can assure all honourable members that people who contravene the act will be prosecuted. It is an offence to damage a sacred site! Nevertheless, the poster says that there will be no authority and no more prosecutions. If I were an Aboriginal person living in one of the outlying areas, I would be marching in the streets in response to this sort of rubbish.

Mr Dale: Who is the author of the poster?

Mr MANZIE: The Northern Land Council. Let me turn to the next point which it makes.

The present sacred sites law says Aboriginal people must be in charge of the authority and most members have to be Aboriginal. The new law does not say Aboriginal people will keep this power over their business.

Mr Speaker, the composition of the new authority will be such that a minimum of half the membership will be Aboriginal people. If the government appoints an Aborigine as one of its members, that minimum will be exceeded. So, again, the statement on the poster is not truthful.

Here is another good one:

If someone wants to do something to a site on your land, under the new law the government can force you to negotiate with them so that they can try to get your okay to go ahead. If you will not agree, the Northern Territory Minister for Lands will decide what he wants and that is what will happen.

Mr Bell: That is right.

Mr MANZIE: That is absolute rubbish. Under the present legislation - and I defy anyone opposite to deny this - the Crown is not bound. The Northern Territory government can act at any time and the present act does not bind it. That is true. We have the authority to ...

Mr Bell: I would not be all that proud of that if I were you, boyo.

Mr SPEAKER: Order! The member for MacDonnell will withdraw that reference to the minister.

Mr BELL: I unreservedly withdraw that reference to the honourable minister. I point out to the Chair that the minister's time has expired.

Mr SPEAKER: Order! I have been fairly tolerant this afternoon with members on both sides who have exceeded their time when very close to winding up. I was about to pull the minister up. I do not need a lecture from the member for MacDonnell, thank you very much. The honourable minister's time has expired.

Mr SETTER (Jingili): Mr Speaker, I move that so much of standing orders be suspended as would allow the honourable minister to complete his remarks.

Motion agreed to.

Mr MANZIE: Mr Speaker, as I was saying before I was rudely interrupted, the present act does not bind the Crown. I do not consider that to be a very

satisfactory situation and I do not think that any member should. However, it is a fact that the Northern Territory government can commit an offence against the present act at any time and the provisions of the act do not allow any action to be taken against the government in relation to such an offence. The new bill binds the Crown. The minister cannot make any decisions which contravene the Commonwealth legislation. Furthermore, if people disagree with the steps taken, any decision the minister makes has to be accounted for in this House or in the Supreme Court.

Tonight, members opposite have alleged that the minister will be the be-all and end-all under the new legislation. That is a lie and it is appalling that the NLC and the CLC are disseminating such misinformation to Aboriginal people. I have been approached by Aboriginal people who have said: 'What is going on? This is not what you told me'. They believe that the contents of this poster are true. The member for Arnhem spoke as though he believed much of it. I ask honourable members to make themselves aware of the contents of the legislation and to speak about it to their constituents. Debate and discussion on legislation is healthy but it is beyond the pale to have to counteract lies and untruths put about by people who are trying to cause confusion, mistrust and hostility.

Mr Ede: You produce inaccurate videos when it suits your purposes.

Mr MANZIE: Mr Speaker, if the member for Stuart believes that such tactics are appropriate, that is deplorable. I am sure that the Leader of the Opposition will have words with him and, possibly, the member for MacDonnell. No matter what group is involved - whether it be an Aboriginal group or a church group - this sort of thing should be deplored. It is meant to cause hostility and it is meant to cause a breakdown in race relations in the Territory. I ask honourable members to ensure that they let their constituents know what is going on. Mr Speaker, I table the poster.

In conclusion, I would like to make honourable members aware that groups such as the NLC and the Uniting Church made representations during the compilation of the Martin Report. Those groups are also involved in circulating petitions based on information which is not factual. Most of the representations which they made to the Martin Inquiry were picked up. For example, the Northern Land Council said that a particular recommendation of the Toohey Report, which related to Aboriginal sacred sites, should be incorporated in the new legislation. That has occurred. The majority of the recommendations of the Uniting Church have been picked up. Yet those same groups are now saying that the proposed legislation is no good. I am amazed. When people make submissions to government inquiries, one assumes that such submissions are based upon their considered views. When the government actually follows those views only to be told that its actions are inappropriate, and when untruthful things are said about the government's actions, one has to wonder why some people are holding particular jobs in the Northern Territory and just what their aims are.

Mr Speaker, I will not speak about the Director of the Aboriginal Sacred Sites Protection Authority. I think the Leader of the Opposition referred to conflict between ministers and the director. I have not been involved in any such conflict. I have gone out of my way to ensure that I have not made any statements that would engender any sort of conflict. The director has abused me publicly, in letters to the newspaper, on television and on radio, but I refuse to lower myself to his level by indulging in abuse because it is not appropriate to deal in personalities when we are considering such important issues.

As all members have said tonight, we should be coming up with some constructive methods of ensuring that we do away with conflict in the area of Aboriginal sacred sites. The government's whole approach has been developed with that aim in mind. Our approach, in terms of the Martin Inquiry and all our actions during the last 12 months, has aimed to develop a system which will to do away with conflict and which will bring about negotiation and discussion. It has been based upon a recognition of the concept of Aboriginal sacred sites and of the fact that traditional owners and custodians are the people who should have the responsibility to deal with those sites. It is based also on a recognition that, under a parliamentary system, the minister must accept the final responsibility.

Mr Speaker, I commend the members who have read the report and the bill. I urge those members who have not read them to do so without prejudice, with open minds, and recognising our unique situation in the Northern Territory and our need to try to live in harmony.

Motion agreed to.

ADJOURNMENT

Mr DALE (Health and Community Services): Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr BELL (MacDonnell): Mr Deputy Speaker, there are 2 matters I want to raise in this evening's adjournment debate. First of all, I want to speak briefly about the needle exchange legislation and what the opposition proposes in that regard. Secondly, I want to make particular comment upon a broken government promise relating to its capital works program.

I will begin with the sad and sorry saga of the government's approach to needle exchange legislation and the need to develop appropriate strategies to combat the Acquired Immune Deficiency Syndrome.

Mr DEPUTY SPEAKER: Order! I remind the honourable member that the subject which he is addressing appears on the Notice Paper.

Mr BELL: Mr Deputy Speaker, I am aware of the strictures of standing orders. I do not propose to mention the Poisons and Dangerous Drugs Amendment Bill or to discuss anything involved in it. I intend simply to refer to the determination of the opposition to ensure that these sittings of the Legislative Assembly do not conclude without there being appropriate legislation on the statute books of the Northern Territory to ensure that the needle exchange proposals are implemented. There has been a demonstrated need for these measures but the government has given every indication that it may not act on this important matter at these sittings. Such behaviour is irrational. This is an important public safety measure that cannot be prejudiced because the government has problems with its marijuana laws.

I merely seek to mention in this evening's adjournment debate that the opposition will be moving for a suspension of standing orders tomorrow to ensure that the opportunity is given to this legislature to enact appropriate measures. I trust that the government will cooperate with us in this regard because the fact is that we cannot give AIDS a 3-month holiday in the Northern Territory. As a result of briefings provided by officers of the Department of Health and Community Services, members would be aware that such a delay would prejudice the program. That would be entirely improper. I will say no more about that subject this evening. I simply give honourable members due notice

of the opposition's intentions tomorrow. We look forward to the government's support in that regard.

I listened with interest to the utterances of the Minister for Transport and Works with his continual carping criticism of the federal government for its shortcomings in respect of capital works projects. In fact, he has built a political career on waving a shovel around. I promise I will not make any rude references to what he usually shovels in question time.

Mr Finch: Here it comes. There is a fair bit of activity from the benches opposite.

Mr BELL: Suffice to say that the earnest Minister for Transport and Works is always zealous to the point of obsession in pointing out the shortcomings of the federal government's capital works program. Of course, he has not been so harsh about the shortcomings of the federal government before 1983, when the Hawke Labor government was elected, although he was not a member of the Assembly at that stage. Nevertheless, I recall that, prior to 1983, the members on the government benches were stunningly silent about the shortcomings of the Fraser government in terms of capital works. I cannot recall it being criticised with anything like the same degree of intensity. One would have thought that, given the mantle of moral purity and moral indignation which the honourable minister dons with such monotonous regularity, the capital works program for which he is responsible would contain none of the shortcomings for which he berates the federal government.

I am about to give the honourable minister a history lesson which dates back to the time when he was a humble backbencher. First, let me tell members about the old Andado homestead and the tourist facility which operates there. It is located in spectacular country, about 16 miles into the Simpson Desert in the middle of extensive north-south sand ridges. I am sure that honourable members will be familiar with the pristine stand of Acacia puce near the old Andado Station.

Fortunately, the electorate vehicle that is provided for me is reasonably rugged. I have had the privilege of driving down through Santa Teresa, visiting constituents on the way, to Allambi Station and out into the majesty of the Simpson Desert. Mr Deputy Speaker, I am not sure whether you have had the opportunity to drive along that route which, in the minister's capital works program, has been named the Simpson Desert Western Highway. The route is certainly very spectacular. It skirts the edge of the desert with the occasional glimpse beyond the ridges to vast stretches of horizon. The country is breathtaking. The route continues through Andado and New Crown to the hot springs. It is lovely country and a very spectacular part of the Centre. Clearly, it has great potential value as an attraction to tourists and, in that context, it is interesting to note that, in their obsessive, carping, critical fashion, both the Minister for Transport and Works and the Minister for Tourism have concentrated wholly and solely on the Olgas Road, as though that was the only capital works project of importance. Whilst my representations with respect to the Olgas Road have been equally zealous, rather more skilful and a little more effective than theirs, I think the matter of the Simpson Desert Western Highway deserves much more attention than it has received.

When the member for Leanyer was formerly the member for Wagaman, a humble backbencher, before he became a humble minister, I wrote to the Minister for Transport and Works who, at that time, was Jim Robertson, then the member for Gillen. On 15 June 1984, I wrote:

I have received representations from constituents in relation to the Santa Teresa and Andado Road and I am writing to inquire about a maintenance program for that road. I understand that this road carries a certain amount of tourist traffic and it has been serviced in recent years. I would therefore very much appreciate any attention your department may be able to extend in this regard. I thank you in anticipation.

That was not an extravagant, demanding letter. On 5 July 1984, I received a fulsome response. All honourable members will recall the sort of fulsome response which the former member for Gillen was capable of giving. He said:

Dear Mr Bell,

Thank you for your letter of 8 June concerning the Santa Teresa and Andado Road. This road was abandoned some years ago due to maintenance difficulties, and alternative access to Andado was provided through New Crown Station. However, following a recent assessment of the tourist potential of the area, the road is now programmed for reopening in the 1984-85 financial year.

I received that letter more than 4 years ago, but the proprietors of Andado are still waiting. As if that letter was not enough, the member for Sadadeen, who often does a bit of electorate work for me for which I sincerely thank him, asked whether the minister could indicate when the Andado Road through Santa Teresa and the Simpson Desert would be upgraded to take tourist buses. He also asked whether the people of Santa Teresa would be involved in the upgrading and maintenance. The minister replied:

To deal with the last part of the question first, as honourable members and yourself, Sir, would be aware, when an Aboriginal community has a capacity to carry out work within the environs of their community, then priority is given to consideration of them carrying out the work. Indeed, I have just approved a contract for the Santa Teresa Construction Group. The question of the general ring or circuit route to go via Andado for tourist purposes is one on which I have had recent discussions with Mrs Molly Clarke, through the office of the honourable member who raised the question. I am satisfied that there would be a clear benefit to tourism and tourist operators were that circuited completed. Mr Speaker, it is a lengthy strip of road, over very difficult country. It has a mixture of low-lying country and there are creek beds to be dealt with.

Mr Deputy Speaker, that was the nub of the then minister's reply.

Mr Finch: How long is it since you have been along that road?

Mr BELL: Listen. Nonetheless, the then Minister for Transport and Works went on to say ...

Members interjecting.

Mr DEPUTY SPEAKER: Order! The honourable member will be heard in silence.

Mr BELL: The then minister went on to say:

I would hope to see the present program in place to at least make that road initially trafficable, not just for 4-wheel drive vehicles but for coaches and conventional vehicles as well, during the course of this dry season.

Nothing happened, Mr Deputy Speaker. Nothing at all except broken promises.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, no doubt all honourable members saw a water truck parked across the end of the road at lunchtime. That truck was parked there by a desperate man who is seeking to draw attention to his plight. It belongs to T & H Bulk Haulage, a company run by Mr Terry Nichols and his wife Harriet, who are constituents of mine. I want to take this opportunity to describe in a nutshell the situation in which Mr Nichols finds himself.

Mr Nichols is a subcontractor who has worked for a contractor on a number of occasions. He is a law-abiding person who is trying to do the right thing. He worked as a subcontractor on the Borrooloola road during November 1988, completing that work at the end of December 1988. The work was undertaken as part of a contract let by the Department of Transport and Works and Mr Nichols contacted me some time ago in relation to difficulties he was experiencing in obtaining payment. At that time, I made representations to the minister's office and the Department of Transport and Works. I will not be so vulgar as to say I was given the run-around. Far be it for me to say that. I believe, however, that the various people I have spoken to up to and including today have been trying to sweet-talk me out of the objections I have been raising on Mr Nichols' behalf.

As a subcontractor, Mr Nichols carried out work for a contractor. Under the terms of the contractor's agreement with the Department of Transport and Works, he had to pay his subcontractors within 2 weeks of the department paying him. When I put this to officers in the Department of Transport and Works and the minister's office, I was told that it was possible that Mr Nichols did not have any written agreement with the contractor, that the agreement between them might have been verbal. I agreed that that might have been the case. There are still such things as gentlemen's agreements. Mr Nichols may not be accustomed to making written contracts. I was more or less told: 'Well, there you are. He should learn about these things. He should have had a written contract'.

Today, Mr Nichols has given to me papers which, to my way of thinking, form a very brief contract. The contractor says that he 'agrees with the above docket numbers and hours as being true and correct as to the truck hire as supplied by T & H Bulk Haulage' and further advises that 'the payment will be made 14 days after the contractor is paid by Transport and Works'. This paper was signed on 4 November 1988 and relates to the contract I have been speaking of. Mr Nichols is still waiting for payment. So much for the suggestion made to me by departmental officers that Mr Nichols did not have a contract.

I was told that Mr Nichols should have had more sense and that, if he had been caught by contractors before - as he had been on a job down Katherine way - he should have been more astute and gone to the Small Claims Court or engaged the services of a lawyer. It is all very well for public servants to say these things glibly but I find it very annoying. If the problem had been one which affected me personally, I might have been before a court for replying to them in terms rather less than polite. That sort of supercilious arrogance really gets my goat. I will give names to the minister after I have

finished speaking, but I can certainly inform him now that members of his staff and officers of the Department of Transport and Works displayed supercilious arrogance in their attitude towards this case.

I have not heard only Mr Nichols' side of the story. I have heard the story from other points of view. It is all very well for the minister and his officers to say: 'That is the chap's point of view. We cannot wet-nurse every subcontractor who works on a contract for the Department of Transport and Works'.

Mr Finch: \$150m we are ...

Mrs PADGHAM-PURICH: That may be so, but a little of the milk of human kindness might go a long way, and a little regard for the small businessman might go a long way.

Mr Firmin: If he is in business for himself, surely ...

Mr SPEAKER: Order! The member for Ludmilla would be aware that interjections are tolerated occasionally, but certainly not interjections from another member's position.

Mrs PADGHAM-PURICH: Thank you, Mr Speaker. You have to keep these chaps in order.

It was said to me, again and again, that Mr Nichols had recourse to law. I was not aware at the time that that was the case. Perhaps, when they told me that, the minister's officers had decided that Mr Nichols had a contract. Also, they also told me that he should have engaged a lawyer.

I will tell you what Mr Nichols did, Mr Speaker. He did engage a lawyer, and this lawyer issued a summons against the contractor. I was told that he was finally found at Nathan River Station and that it took the bailiff 2 weeks to find him. Mr Nichols and his lawyer then had to wait 7 days for the contractor to enter a defence. When the case came up in court on Friday last, no defence was entered by the contractor. The earliest date on which application could be made to the court for a judgment against the contractor was this Thursday. Mr Nichols, through his lawyer, had to apply to the Supreme Court again for a bailiff to go and collect any property that the contractor owns to help pay the debt owing to Mr Nichols. By then, of course, the contractor had long since done a bunk, or so I have been told. Nobody knows where he is. Where does that leave this subcontractor? I will tell you, Mr Speaker. It leaves him being owed something in the order of \$20 000. Many of his vehicles are mortgaged to a finance company as, I believe, is his house.

Meanwhile, supercilious, arrogant public servants have been telling me that Mr Nichols should manage his affairs better and that he should not have spread his money so thinly. How he runs his business is not my affair, their affair, or anybody else's affair. He is running a business and he has been running it for a while. Like many other people, Mr Speaker, perhaps including yourself, Mr Nichols budgeted on the basis that he would be paid at a certain time in order to be able to meet his mortgage commitments. That has not occurred.

Over the years, I know that the government has entered successfully into many contracts with contractors who have paid their subcontractors. However, I believe that the time is long overdue for the government to look at the

terms of its contracts as they apply to contractors who engage subcontractors. I am not a legal whiz at these things. The honourable minister has considerable legal expertise available to him and I am sure that it would be very easy not only to say that contractors shall pay subcontractors within 2 weeks of being paid by the Department of Transport and Works, but to insert a clause or some appropriate wording which requires the contractor to pay subcontractors.

Small business people like the Nichols have shown their faith in the development of the Northern Territory by investing everything they own in the Northern Territory. I will not say that we are seeing a repeat of the Fitzgerald situation. That had a happy ending, and I hope that this situation will also have a happy ending sometime. I believe that the government has to show faith in people like these by pulling up its socks and trying to help them. They are not asking for handouts.

I knew what Mr Nichols was going to do today, as did other honourable members and various people including the police. When I went down to speak to Mr and Mrs Nichols at the road blockade, I spoke to some police officers whom I know. They were trying to do their best. They could see that Mr Nichols was not a ratbag demonstrator out to feather his own nest, to make a stupid point or just to be bloody-minded. It was clear to them that he was a desperate man. While I was talking to him and other people, I was watching the workers on the building site opposite. They did not know what was happening and they came over and asked Mr Nichols why he had parked his truck there. He told them his side of the story. The government employees to whom I have spoken believe that their side of the story is right and that Mr Nichols is incorrect in saying the government owes him money. Perhaps, strictly speaking, it is the contractor who owes him money. The public perception, however, is that the government has done a little bloke in the eye again.

One look at Mr Nichols' vehicle would convince anyone that he is not a big operator. He is not a bloated plutocrat. The truck's tyres are worn and a few other things are in need of repair. It is the vehicle of a little bloke who is trying to work his way out of a difficult problem, although I do not think he will be able to do so this time. I do not want to see him go down, and I do not think other honourable members who have some regard for small business people would want to see somebody like him go down either. But, given the arrogance displayed by the Transport and Works officers who deal with contracts, I cannot see him getting much joy out of the situation.

I want to make a final point in relation to this matter. It relates to the officers in the Department of Transport and Works who are involved with the process of letting contracts. I do not know who those officers are but I would expect that they have been around for a few years. Certainly, they should know who the shonks are. I have never had to work on a tender board or to inspect bids for contracts but common sense tells me that, while the lowest tender may appear superficially to offer the best bargain, the tenderer may not be able to fulfil the conditions of the contract. Obviously, the contractor with whom Mr Nichols dealt was one of those. I believe that the people who work in that section of the department must pull up their socks. They must know by now who is who and what is what in their line of business.

Mr Palmer interjecting.

Mrs PADGHAM-PURICH: Mr Speaker, I do not want to hear arrogant remarks from the other side of the House. Honourable members opposite may think that

their interjections are clever but they are not scoring off me. I do not mind. My hide is a bit like that of a rhinoceros, and members opposite would have to get up pretty early in the morning to do me down and make me feel embarrassed. They are not denigrating me; they are denigrating this small businessman. If they want to be smart, they are welcome to try. Their efforts will rebound on them at the next election, and not on just 1 or 2 members, but on all of them.

People should not try to make political capital out of situations such as that in which Mr Nichols has found himself. When I spoke in this House about the Fitzgerald case, which was concluded happily, the Minister for Transport and Works accused me of political expediency. I regard that as a very cynical way of describing a member who looks after his or her constituents. Mr Fitzgerald, although not a constituent of mine at present, has been a constituent in the past and may well be so again in the future if he changes his place of work, which I hope he will do. I believe that honourable members are in this House to represent the views of their constituents. That is what I am trying to do now, and I hope that there is a happy conclusion to the situation Mr Nichols finds himself in.

In the few minutes remaining to me, I want to talk about another constituent of mine and, once again, I will be referring to the attitude of public servants. A resident of my electorate has established a very successful venture. I would say that his prawn farm is one of the most successful - if not the most successful - in the Northern Territory. Try as he might, however, he was not able to get anybody from the relevant government department to visit the farm, to inspect it and talk to him about what he was doing. In my opinion, that displays a very lax attitude on the part of the officers involved, whose names I will not mention. Eventually, the only way he could persuade them to visit the farm was by saying that I had agreed to visit it. As soon as he told them that, they decided to visit. I made my visit yesterday and my observations lead me to conclude that this man will show us exactly what can be done up here with regard to the farming of prawns, barramundi and crabs. The time left to me is too short to do justice to the project. I will conclude by stating that this gentleman, whose name I will mention on another occasion, is to be thoroughly commended on his initiative. He used his own financial resources to establish his project and if others paid attention to him, including the government, the Northern Territory's development would proceed more smoothly.

Mr COLLINS (Sadadeen): Mr Speaker, you will recall that last week I raised the matter of floodlighting the Todd River in Alice Springs in order to beautify it and also to make it safer at night. A large number of people have been attacked in that area. Muggings, rapes and even murders have occurred in that part of town.

Having talked to people around the traps in Alice Springs and Darwin, I can report that considerable support exists for such a move. If the government can see its way to act upon the suggestion in some way, in conjunction with the Alice Springs Town Council, I believe there would be considerable public support. I am appreciative of advice from an honourable member with experience in local government. He told me that the cost, which has been the worrying factor for most people, should not be an undue burden. Councils can ask the Power and Water Authority to instal lights and those lights can be paid off over a considerable period, something like 20 years. Cost, therefore, should not be the key problem.

Floodlighting the river bed would have many benefits. The town would be safer for visitors and locals and I believe the matter has to be looked into. I will certainly be writing to members of the Alice Springs Town Council, one of whom is in the gallery tonight. I am sure he will be interested to look into the matter to determine whether floodlighting is feasible. There is certainly a good deal of support. Indeed, I have been quite delighted that people in Darwin have noted that I have raised the matter and have spoken to me in the streets to express support.

The second matter I wish to raise relates to a question which has been on notice for some considerable time. After it seemed to go astray initially, I jumped up and down asking where the answers were. Eventually, I had to resubmit it. I have finally received the answers, which contain details of sentencing under the Criminal Code. Before I discuss them, I will repeat the question I asked the minister. The first part of the question asked how many people have been charged with a slaying offence since the Criminal Code became law on 1 January 1984. The second asked how many people have been convicted of each of the following: murder, manslaughter, committing a dangerous act and other offences. The third asked about the average sentence handed down in relation to the above convicted persons, and the fourth asked the average actual sentence served by those convicted persons.

The first answer was that 53 people have been charged with slaying offences. Nobody has been convicted of murder since 1984. In fact, I spoke with 4 police prosecutors the other day and was told that the last time a murder conviction was handed down in Alice Springs was in 1978 when Quentin Webb, a cripple, was shot by some young Aboriginal people on the station to the north of the town. That is quite a long time ago. Indeed, the reason for my question is that, although 53 people have been killed in the Northern Territory since 1984, and even more since 1978, not one person has been convicted of murder in the Alice Springs Court in that entire period. Of course, that is a matter for judges and juries. I think, however, that most people would find that rather odd, given the number of slayings which have occurred.

I found some of the other answers pretty unsatisfactory. I suppose there are all sorts of ways of dodging a question. The answer to the second part of my question was that there had been no convictions for murder, 18 for manslaughter, 8 for committing dangerous acts and 3 for grievous bodily harm. Some of the latter also involved manslaughter charges. In addition, 16 cases were not yet complete.

The next part of my question concerned the average sentence, which is not very difficult to work out. One simply adds up the total number of years in all sentences handed down by the court and divides it by the number of people convicted. Whilst that figure may not tell the full story, it is something which can be understood by the ordinary man in the street. There has been no attempt to provide that figure. Instead, I have been given the range of sentences for each type of conviction. In the case of manslaughter, the maximum sentence was 10 years and the minimum was 3 years. For committing a dangerous act, the maximum sentence was 3 years and the minimum was 2 years. Murder, of course carries a mandatory life sentence. However, since we have had no murder convictions in the period, we do not have to worry about that. All that was required was to add up the sentences and to divide that by the number of cases, which is 29. That would have produced a figure which would have some degree of meaning to the man on the the street.

When I asked the final part of my question, I stated that there would be some difficulty answering it because sentences which were still being served could not be taken into account in determining the average time actually spent in jail. However, I do not think it would have been too difficult to summarise the 29 cases and to give an average amount of time served by people who are now out of jail. That would have been a meaningful figure for the public.

I have said before that, as an elected member of this Assembly, it is my duty to reflect the concerns of the people and to convey those concerns, through the system, to the courts. I said the other day, in relation to a legislative anomaly detected by a judge, that I welcomed feedback from the courts. We should not be directing the courts, but we need a mechanism to convey feedback received from the people in our electorates. We have a duty, whether or not it is popular in the courts and among the legal fraternity, to relay people's concerns about the level of sentencing. There is deep concern in the community that the rule of law is not being supported. Because of that, people are tempted to take the law into their own hands. Clearly, that will get us nowhere. I am a great supporter of the rule of law. However, if that rule is to be supported, the courts have to dish out punishments which will at least satisfy, in reasonable degree, the people who have been offended against or their families and relations.

Mr EDE (Stuart): Mr Speaker, the first point I would like to raise in the adjournment debate tonight is one which I have raised on a number of previous occasions. It concerns the Alice Springs Abattoir. Honourable members will recall that, almost immediately after the fire at the abattoir, I asked this government whether it could cooperate with the owners in some way with a view to re-establishing the abattoir at the earliest possible opportunity. At that stage, I reminded members of the number of jobs involved and the value-added component achieved through the processing of our meat in the Territory rather than interstate, particularly in the context of the negative effects which our meat industry has suffered because of the decreasing number of cattle being slaughtered here. It is unfortunate that, more than 12 months after the fire, the minister has provided this House with no information on the progress of negotiations and whether it is possible to work out an arrangement with the owners of the abattoirs, Whittakers, or with the new operators.

Honourable members would be aware of the problems with the existing site and the controversy over the smell which tends to hang around the Morris Soak area when we get a westerly breeze or an inversion factor over the town, particularly during the winter months. These problems with the current site have led to suggestions that, if the abattoir is to be rebuilt, the appropriate site would be Roe Creek. The proposal to develop in that area probably faces some problems, in the context of the change in the operations of the meat industry towards store cattle for movement interstate rather than for local killing and export. Given the attitudes of the current government, there is some doubt as to whether sufficient pastoralists will commit themselves to the local kill to enable both the Wamboden facility north of the town and a new, modern facility south of the town to operate.

Some proposals have been mooted for the construction of what might be called a Wamboden extension, which would provide an export facility and a local kill facility operated on the same floor, with the ability to supply both the local and overseas markets. I hope that the minister will make a statement on this matter during these sittings. It is certainly a subject upon which he has been singularly silent since the fire. A number of people

have been out of work for a long time as they wait for the operation to re-establish.

I am less hopeful that the Minister for Transport and Works will straighten out some of the statements that he has been making in this House. In particular, I refer to his lambasting of the Alice Springs Airport project. He said that upgrading would not proceed and that, somehow, that meant that our federal representatives had been telling deliberate untruths. The minister knows that the upgrading was stopped by Ansett, which refused to accept amendments to the plans for that upgrading. That was what held back the upgrade ...

Mr Finch: It was an Ansett problem then?

Mr EDE: It was reported in the Alice Springs papers. Unfortunately, these things tend not to be reported in Darwin.

Mr Finch: I read the Alice Springs papers too.

Mr EDE: Do you? Certainly, Australian Airlines was quite upset about it. The matter rested there for some time until the FAC decided that it would undertake the full upgrading of the Alice Springs Airport rather than carrying out an interim upgrading. I have far more confidence in the efforts of our federal members to ensure that upgrading will proceed this year than I have in the intentions of the federal opposition in the unlikely event that it wins government.

In this context, I would like to refer honourable members to a press release issued by the Deputy Chief Minister. He pointed out that the opposition spokesman on defence, Mr Peter White, who is the member for McPherson on the Gold Coast of Queensland, stated that he did not see any need for the presence of defence forces in Darwin. He did not recognise the importance of their contribution to the local economy and he did not support the establishment of a cavalry regiment in Darwin. He was critical of Department of Defence plans to buy houses in Darwin and Palmerston to accommodate staff. That is the attitude of the alternative government at the federal level.

The Minister for Transport and Works should remember points like that when he criticises the federal Labor government and our federal members, who have been battling for years to achieve the redevelopment of our airports. He used a draft construction timetable to destroy the cooperation that was being built up between the federal government and people in the Northern Territory who are concerned with the redevelopment of airports. He made no mention whatsoever of federal opposition tactics and proposals. He adopted a very selective approach in dealing with the issues. He used draft documents in an attempt to justify his claim that Tindal stage 2 would not proceed and that development at Coonawarra would not go ahead. He said that subsidies worth \$107m would disappear as he busily set about shattering the confidence of businessmen in the Northern Territory economy. For blatantly political purposes, he has been screaming outrageous ...

Mr Finch interjecting

Mr SPEAKER: Order! I have been fairly tolerant with the Minister for Transport and Works. He has not yet spoken in the adjournment debate and he will have the chance to do so later if he so desires. In the meantime, the member for Stuart will be heard in silence.

Mr EDE: Mr Speaker, the Minister for Transport and Works has been involved in a deliberate campaign which was launched by the Chief Minister. He is willing to toss aside the small amount of credibility which he built up during the previous year merely in order to attempt to vilify our federal representative. He has displayed no conscience whatsoever in his willingness to throw the baby out with the bath water. He has shown that he is prepared to destroy 3 projects which offer the opportunity to get our economy moving again, the Coonawarra and Tindal developments, and the Darwin Airport redevelopment, which amount to \$107m in subsidies. Those projects were being supported on a bipartisan basis and the minister stands condemned for attempting to destroy that bipartisanship for blatant political purposes. All he had to back up his case was a simple draft of a possible redevelopment timetable. That was all he had. On that flimsy basis, he was willing to destroy the confidence that was beginning to develop through the good work of our federal members.

The minister has shown a blatant and disgusting disregard for the future of the Northern Territory and he stands condemned for it. He should apologise, not only to people on this side of the House and our hard-working federal members, but to the businessmen who may make the wrong investment decisions on the basis of the front page headlines that he has engendered with his cheap political trick.

Mr TUXWORTH (Barkly): Mr Speaker, late last year, I rose in adjournment debates on several occasions to speak about the plight of Mr Graham Aked, a citizen of Palmerston. Mr Aked has sought assistance from the Minister for Health and Community Services in relation to his electricity account. This is because of a medical complaint which is so debilitating that Mr Aked is not likely to enjoy the fruits of life as much as we do or for as long. So far, the honourable minister has declined to assist Mr Aked. He has implied that Mr Aked is a whinger who is banging the drum in an effort to save himself a few dollars. The minister said that he would not cave in to Mr Aked simply because he was making a few noises. I put the proposition to the minister that Mr Aked's condition was such that, if he were to become a patient of the state, the cost to the Northern Territory taxpayer would be considerable, and that assisting Mr Aked with his electricity account was probably a very good investment from the point of view of the taxpayer.

Recent developments caused Mr Aked to be hospitalised for a period, again at great expense. Following that period of hospitalisation, he wrote to the minister. I would like to record the contents of that letter in Hansard because it is very revealing and highlights the problems people in Mr Aked's position have to contend with when dealing with the minister.

My Dear Minister,

You are no doubt aware that, during the build-up and for the first part of this wet season, I was unable to afford to run my air-conditioner at home. I have now managed to pay NTEC the backlog of moneys except for the current account which arrived some weeks ago.

During this time without air-conditioning, my condition deteriorated to such an extent that I was admitted to the Royal Darwin Hospital with yet another chronic lung infection, resulting in severe airway obstruction and haemorrhage from both lungs. The doctors at the hospital decided to perform a bronchoscopy, to look down the bronchial tube to ascertain the site and extent of the bleeding.

They were unable to complete this procedure due to a heart complication and the operation was terminated.

It was decided to send me south for investigations by the thoracic specialists, and I was flown to the Prince Charles Hospital, Chermside, Brisbane. I was hospitalised for a total of 5 weeks. You will appreciate that the Prince Charles Hospital is a specialist heart/lung centre, and it ranks worldwide in this field.

I was extremely ill on arrival and was placed under the immediate care of the Director of Thoracic Medicine, a Dr Zimmerman. Dr Zimmerman is also a member of the Australian committee for the selection of heart/lung transplant patients and is regarded, at an international level, as being one of Australia's leading specialist thoracic surgeons in this field. The specialist team at the Prince Charles Hospital includes the Chief Thoracic Physician, Dr K.A. Allen. Both of these specialists subjected me to the most vigorous treatment and investigative procedures over this period of 5 weeks. The equipment available is the most modern that Australia has to offer.

Both of these specialists have agreed that my condition is best treated in an air-conditioned environment. Please find enclosed a letter from Dr Allen with this recommendation. Both of these specialists have indicated quite strongly that they are only too pleased to speak to you directly by telephone if you have the slightest doubt about this matter.

Mr Speaker, Mr Aked's letter then refers to a team of medical specialists in the Northern Territory, which is known as the AACT. He says,

Mr Minister, I put it to you that the team of people that you asked to research my condition, the AACT, have failed to advise you correctly in this matter. Firstly, the team did not include a specialist in this field. Secondly, I was not subjected to any specialised testing by this team and, thirdly, they made their assessment based solely on information that is available about this rare condition from the shelves of the Royal Darwin Hospital library. This fact was openly admitted by the Indian woman doctor on the team. To assess the need for humidity control in the treatment of my condition she has stated, and I quote, 'Your condition is very rare and all I could do was look it up in the hospital library. I could not find anything about air-conditioning so I could not recommend it one way or the other'.

The team did not even bother to find out my current form and level of medication, and I find this fact astounding. This was shown when the manager of NTEC asked me to verify the need for regular use of a nebuliser. He wanted to know the frequency of use and if it was mains or battery operated etc. As I had just been assessed by the AACT team, I advised him by letter to contact the Chief Medical Officer who would have all the information about the form and type of medication I was using and they could advise him on a professional and authoritative level about the use of this life support system. After this second and thorough assessment by the AACT, the Chief Medical Officer could not advise him if I used the nebuliser or not, if it was mains or battery powered and if it was regarded, in my case, as a life support system and so forth.

Mr Minister, I was never assessed in a professional manner. You have been wrongly advised in this matter. Why not ask the AACT people to advise you on the exact type of treatment that I was receiving when I was assessed? They will not be able to tell you.

As I have now been assessed by Australia's leading thoracic surgeon and physician, I again ask you to reconsider my request for a subsidy on my electricity account. Mr Minister, you once told me that you were ready to help me immediately if you could only justify this action. You almost begged me to be reassessed by the AACT people. I did what you asked, yet again I was never personally assessed. You now have the justification to help me. Australia's leading specialists will help you in this decision.

I will go to any lengths I have to in order to breathe freely. I will be using the air-conditioner from now on and I can assure you that I will never again be transported to another hospital such as the Prince Charles in Brisbane because I could not obtain adequate medical treatment in Darwin. I was carried in on a stretcher as a respiratory cripple. Territorians deserve more than that. Air-conditioning is relevant in my case. It is more than relevant; it is vital in the management of my condition. You now have the advice of Australia's best. Please act on it.

I remain, yours sincerely,
Graham Aked.

I will read into Hansard the letter that Mr Aked has from the thoracic physician at the Prince Charles Hospital in Brisbane. It says:

To Whom It May Concern.
Re Mr Graham Aked, 29 Lockwood Court, Moulden, NT.

Mr Aked has severe emphysema ...

Mr Speaker, the letter then refers to another part of the condition, which I cannot pronounce, before continuing:

... due to an antitrypsin deficiency. As his airflow obstruction is severe, it is recommended that he be provided with practical support for air-conditioning.

Yours faithfully
Dr Roger K.A. Allen,
Thoracic Physician,
Prince Charles Hospital.

I raise this matter again tonight because it drives home the point that I made to the minister some months ago. Mr Aked's condition is such that he could and probably will finish up as an in-patient of a Northern Territory hospital. The nature of his condition would make that an enormous burden on the Territory taxpayer. Mr Aked indicates in his letter that he spent 5 weeks in a Brisbane hospital. If we calculate that at the rate of \$300 per day for 35 days, we are looking at \$9000 for starters. If we allow \$1000 for the air fare, that is \$10 000 before we even consider the costs of transportation and support and all the other things that go with it. In this particular instance, Mr Aked's expenses have cost taxpayers in the Territory and elsewhere in the vicinity of \$10 000, and the pity of it is that it is quite

possible that the whole exercise could have been avoided for as little as the cost of assisting him with his air-conditioning bill, which would be about \$800.

This is the sort of treatment which Territorians have come to expect as the norm. I think that is totally unacceptable, not just from the point of view of the patient, but from the point of view of public funds. I have another issue to raise tomorrow night, in much the same vein, concerning a constituent from Tennant Creek. What I want to put to the minister now is this: will he review Mr Aked's case, as a matter of urgency, given the recommendation that he has from the thoracic physician in Brisbane, and will he put into place a procedure within the department that allows people who have a similar condition to receive assistance in relation to expenses necessary to keep them alive?

The pity of it all is that, with assistance in the form of perhaps \$1000 a year towards his electricity bill, Mr Aked can stay at home, look after himself, generally be independent, have some dignity and lead a pretty quiet life. Anyone who visits Mr Aked's place and sees the machines that he plugs himself into every 2 or 4 hours, will realise that it is not much of a life. Mr Aked believes, however, that it is a whole lot better than being locked up in a hospital. The alternative is that he will become a permanent patient of one of our hospitals for 365 days a year. If he were to become a patient of the Royal Darwin Hospital, that would cost nearly \$400 a day. I would like someone to explain the logic of allowing that to happen.

When I last raised this matter in the Assembly, the minister dismissed it in a cavalier fashion. He suggested that he had evidence from people within his department that Mr Aked was probably doing himself a disservice by having an air-conditioner and could even be doing himself an injury. When I relayed that message to Mr Aked, he made representations to the minister and the department to try to obtain that medical information to give to his own doctor in case he was receiving the wrong treatment. The minister has never produced that information. The release of that information is the least that a patient in Mr Aked's situation could expect because it is information which suggests that his present treatment may not be correct.

This has become a scandal of enormous human and financial proportions. There is absolutely no need for it to continue. It should never have even become an issue. It is time now for the minister to review Mr Aked's case and do something constructive to solve the problem, not only for Mr Aked, but for many others in the community, some of whom are quadriplegics or paraplegics, who have a similar problem in terms of their breathing and the condition itself. These people would appreciate a little help. A couple to whom I have spoken told me that they are frightened to speak up and that they admire Mr Aked immensely for having the guts to do so. They are not game to speak up and ask for help because they have been told that, if they know what is good for them, they will shut up. When you are a quadriplegic or have a condition which necessitates reliance on the department for the means of your very existence, you are inclined to shut up. There are many people in the community whose needs are similar to those of Mr Aked and I think it is now time that the minister moved to ensure that Mr Aked's situation is alleviated and that others in similar circumstances are catered for by the department without such an enormous hassle.

Mr HATTON (Nightcliff): Mr Speaker, I rise to make some brief comments in response to the remarks of the member for Stuart. I have no doubt that the Minister for Transport and Works will also have a few words to say.

In question time this morning, I listened to the minister's response to a question. You can usually tell when you have struck a nerve with the opposition because the points of order start flowing thick and fast and the volume of interjections increases. That is what happens when they attempt to divert attention away from the detriment that the federal government is causing to the Territory.

Tonight we have heard the member for MacDonnell make a further attempt to divert attention from the disgraceful condition of the Olgas Road by raising an issue in respect of a road to a non-existent tourist development. Certainly, a tourist development was proposed in 1984 but nothing eventuated because the people involved changed their minds and decided not to proceed. That seems to be irrelevant to the member for MacDonnell.

When confronted with clear evidence that again there are delays in the construction of Darwin and Alice Springs Airports, the member for Stuart ...

Mr Ede: A draft document. Is that evidence?

Mr HATTON: Mr Speaker, I have got him going again. It does not take him long. If he opens his ears and closes his mouth, he might learn something.

I understand that the program at Coonawarra, which was supposed to take 18 months, will proceed. However, the time frame has been modified slightly from 18 months to 10 years.

Mr Ede: Rubbish!

Mr HATTON: I understand that there has been some doubt in respect of the Tindal development. These matters have been debated at some length over the last week. The member for Stuart stated that business confidence has been affected by the government revealing that these projects are at risk and has castigated members on this side of the House for having the audacity to question the honesty and integrity of the federal government. After all, we all know that the federal government always fulfils its promises. How dare we question the federal government's honesty in respect of major capital works in the Northern Territory?

The member for Stuart then waded around a press release from a brand new shadow minister as if that suddenly absolved the federal government. The issue is not whether revealing these problems will destroy confidence. The issue is that there are delays and there are questions surrounding the development of those projects. That is what will destroy confidence. It is very simple to overcome that. All it would take is for the federal minister and the FAC to indicate publicly that our Minister for Transport and Works is wrong. However, they will not do that. They are obfuscating, twisting words and playing games.

The Northern Territory federal representatives, Senator Collins and Mr Snowdon, said last year that they would put their jobs on the line in relation to the redevelopment of the Darwin Airport. Both said that. On television last Friday night, there was a repeat of the August interview with Senator Collins and Mr Snowdon after the Chief Minister dared to ask questions about when work on the project would commence. They came out in righteous indignation and said that the property would be handed across within a month, and construction would start in 1989. There is certainly not much activity at the moment. I heard the gentleman from the FAC on the radio. He said that the FAC would love to start this year but anticipates a start between February

and April next year because of the wet season. That is the FAC's argument. Of course, it would have nothing to do with the probability of a federal election towards the end of this year.

The federal government has deferred any decision on changes to the ALP uranium policy until early next year. Why? It has deferred a decision on Coronation Hill until after the end of this year and now it seems that the commencement of work on the airport will be deferred until next year. Will we find ourselves in the same situation we were in in 1984? We have sound historical reasons for questioning the credibility of the federal government.

Mr Ede: You have made one big mistake. You know that Labor will be back in after the next federal election. You know that. You can bank on it, right? You do not have to worry about a new government. You are lucky.

Mr HATTON: Mr Speaker, the thought of having Labor in power after the next federal election scares the wits out of me. I am frightened for Australia if Labor gets back into power. We can see the destructive effect which its inane policies are having on the Australian economy.

The federal government can no longer con the public. People do not believe its nonsense any more. The people of the Northern Territory will have great difficulty accepting even that contract works will continue after the next federal election, given previous experience. I had the unfortunate experience, in the 1984 federal election campaign, of actually saying to people that I believed the airport redevelopment would proceed. I said: 'As little as I like the Labor government and as little as I trust it since it broke its promise on the railway and slashed our funds, it has started construction of the new airport terminal and I cannot believe that that will not proceed. I am sure that the new terminal will be built'. How wrong was I? Within 6 months, construction was delayed. Construction was stopped for 6 months - 4 years ago - and members opposite wonder why we get a bit twitchy about the issue!

The Labor Party and the federal government will have no credibility in this matter until cast-iron contracts are signed and contractors are on the job. Even that will be only the first stage. It might get rid of the negatives but there will be no bonus points for the ALP. It will be the third or fourth time the ALP has run on the redevelopment of the Darwin Airport and the second time on the redevelopment of the Alice Springs Airport. We just cannot keep going, Mr Speaker. We need that airport. Everyone knows that. Even the opposition knows it. Members opposite should find the courage to stand up for the Northern Territory publicly and to criticise the federal government. Nobody on this side of the House can ever be accused of not having the courage to stand up ...

Mr Ede: We do not drum up documents. We wave around facts.

Mr HATTON: Facts are alien to the vocabulary of the member for Stuart.

Mr Speaker, this side of the House has a record of standing up to whichever federal government is in power, if it is in the interests of the Northern Territory. The Country Liberal Party fought the Fraser government on a multitude of issues when that government acted against the interests of the Territory. We were not afraid to stand up and be counted. Members opposite, however, cannot help themselves. When interest rates go through the roof, they say: 'It is only a minor adjustment'.

Mr Ede: Rubbish. The Labor government does not control interest rates.

Members interjecting.

Mr HATTON: Members opposite are always apologising for the federal government.

Mr Palmer: Respond. Put it on the public record.

Mr HATTON: I will respond to what the member for Stuart just said, so that it will be on the public record. His comment will certainly make interesting reading for the community at large. The member for Stuart has fundamentally failed to put a case.

Mr Ede: I suppose you think they sit down and say: 'I think we'll have 17% this week, mate'.

Mr HATTON: The member opposite wants to talk about interest rates. On last weekend's 'Sunday' program, the Prime Minister himself said that the government must maintain a tight credit policy. The federal Treasurer has made the same statement. The federal government maintains a tight credit policy by pushing up interest rates, making credit less available.

Mr Ede: That is how you maintain a high dollar policy.

Mr HATTON: How does the federal government maintain a high dollar value? It is very simple. First of all, it floated the dollar. Subsequently, it has used the Reserve Bank, which has intervened to manipulate the price of the Australian dollar during the last 5 years.

Mr Ede: You didn't even deregulate the Australian dollar. You talked about it for years but didn't have the guts to do it.

Mr HATTON: Mr Speaker, I am in the Northern Territory parliament.

Mr Ede: It is your mob.

Mr HATTON: Mr Speaker, the federal government is responsible for its actions. I want to talk about today, not what happened 5 or 6 years ago. Members opposite should stop avoiding the issue. The reality is that this federal Labor government is an economic disaster. We are still suffering from the legacy of the prices and incomes accord reached in 1983 and the nonsensical economic theories which were promoted then. The mirage of 'gains' is coming unstuck today. I said, in 1984, that the only way wages could be kept up would be through overseas borrowing. The government borrowed overseas to the tune of \$112 000m.

Mr Ede: I tabled the papers and you went outside and had a quiet little chuckle, didn't you? The figure turned out to be private borrowings, not government borrowings. Remember?

Mr HATTON: There certainly were large private borrowings and I will refer to them to put the facts on record. Many of those borrowings were stimulated by the policies of the federal government, which sets the economic strategies for this country. It is able to control, limit or allow for the expansion of private overseas borrowing, just as it can with the public sector. That has been a practice in Australia for 70 years. The government cannot avoid the fact that it allowed the macro-economic situation to develop. In fact, it

stimulated it by allowing its mates, the Bonds and Holmes a Courts, to borrow via South Africa to play the stock market. Mr Speaker, I make no further comment about that.

The member for Stuart is trying to divert the House's attention from the issues. He says: 'Let's talk about the Fraser government. Let's ignore what Keating and Hawke are doing. We all know it is bad but let's find some other argument'. He is trying the same trick tonight, when we have raised the subject of the very serious problems with capital works programs in the Northern Territory. The attitude of members opposite is that people must not be allowed to think that the federal Labor government might be doing something wrong. They do not want to deal with the facts or the truth. They want to obfuscate and confuse the issue so that they can avoid political flak being directed at the ALP and they want to make some cheap political capital in the process. The fact is that members opposite are supporting a federal government which is acting to the detriment of the Northern Territory, and they should be condemned for it.

Mr FINCH (Transport and Works): Mr Speaker, I would like to speak briefly about 2 matters raised in the adjournment debate tonight, the first of which is the very sad and sorry tale of T & H Bulk Haulage, which the member for Koolpinyah spoke about earlier.

Firstly, I would like to reflect on some of the media reports of the plight of Mr Nichols. On this occasion, the ABC has sought to take the line that the Territory government is uncaring and uninterested in Mr Nichols' plight. The situation is quite the reverse. The ABC was given details of all the negotiations and discussions with Mr Nichols for its own interpretation and use. Unfortunately, in this particular case, the ABC reporters have sought to adopt an anti-government stance.

May I say, Mr Speaker, that the Territory government and officers of the Department of Transport and Works have been well aware of the concerns of Mr Nichols for quite some time. The situation dates back to September 1987. We have displayed continual sympathy for and understanding of his plight and have sought to give him constructive advice on how to get on top of the problems that he has encountered with a number of contractors. Sadly, that advice does not appear to have been heeded. Nonetheless, we have endeavoured to assist in the best possible fashion.

I should mention that the basis of the problem with Mr Nichols' business has been that, like many small subcontractors and suppliers, he has not entered into commercial arrangements with other subcontractors or principal contractors in an effective and efficient manner. In other words, he has not taken out proper contract documentation. That seems to have been the core of his problem. We first became aware of Mr Nichols' problems in 1987, when he staged a sit-in at the Katherine office of the Department of Transport and Works in relation to a claim involving a firm working in that area. That matter was resolved to some extent by Transport and Works officers, but Mr Nichols was still owed some money from that contract.

Whilst Mr Nichols may be a small operator in the eyes of the member for Koolpinyah, he states that he operates a fairly large fleet of 40-odd vehicles. Of course, that is an extremely heavy burden which needs proper business management. It is very difficult for governments to advise people involved in businesses which enter rapid growth phases without developing appropriate accounting and business management skills. I can assure honourable members that, on at least 10 to 15 occasions over a period of

some 18 months, officers of my department, members of my staff, and myself have offered Mr Nichols constructive advice on how he ought to establish his business practice. It is extremely sad that Mr Nichols has not taken heed of that advice and I certainly feel a great deal of personal stress about the fact that he now finds himself in the same sort of difficulty as has occurred previously.

I understand that the name of the contractor involved in the current situation is G & J Trucking. I may need to correct this later, but I understand that it is run by a Mr Francis, a civil engineering contractor and that it has ceased operation part-way through works on a contract in the Borroloola area, leaving Mr Nichols high and dry once again. It was the advice of Department of Transport and Works officers, when they recognised that things were getting pretty desperate, that helped at least to limit the exposure that Mr Nichols faced.

As it has turned out, the approaches which Mr Nichols made to my office late last year, seeking advice as to what action he could take, have not resulted in anything fruitful. I will refer to that advice briefly now. It was that, if he had any sort of proper contract documentation, he should deliver it immediately to his solicitor and pursue a proof of debt through the court. As I understand it, such a proof of debt could be used by Mr Nichols, in association with the Department of Transport and Works, to withhold payments from the principal contractor. Mr Nichols responded that his lawyer had advised that the Department of Transport and Works would probably be responsible. I understood that he was not pursuing any further action on the matter although I strongly advised him to reconsider or seek further legal advice because what he had relayed to me did not seem to stack up at all.

The remarks of the member for Koolpinyah indicate clearly that there was a considerable delay between the giving of that advice late last year and the time at which Mr Nichols got around to pursuing proof of debt. Unfortunately, under the terms of its contract with the principal contractor, G & J Trucking, the Department of Transport and Works has an obligation to pay a final settlement, regardless of what stage the contractor has reached before ceasing work on the project. That settlement is based on the assessed value of completed works in the context of the total contract value. In other words, the Department of Transport and Works, on behalf of the taxpayer, ensures that it is not overexposed on the default of a contractor.

I can say that, following his default on this project, it is very unlikely that the contractor will be given further works within the Northern Territory, operating as G & J Trucking or as the principal of any other company. That is a policy of this government, a policy unique to the Northern Territory. Further, I regularly have discussions with my interstate colleagues and we informally exchange comments about defaulting contractors. Although it will be of small comfort to him in this case, I can give Mr Nichols an assurance that, as far as I can influence matters, G & J Trucking and its principals will not obtain government projects interstate.

We have gone as far as we can go. We gave Mr Nichols the benefit of our advice in respect of proper contract documentation, proper business management and proper legal guidance in terms of pursuing his rights through legal processes, which is the entitlement of every subcontractor and supplier. Quite simply, the department cannot be responsible for every participant in every commercial arrangement within every contract let by the Northern Territory government. That would be impossible and totally impractical. Legally, our arrangements are with the principal contractors only. We go

further than any state in ensuring that, within the contract documents, there is an obligation on the principal contractor to sign appropriate subcontract agreements with all substantial subcontractors. That does not apply to every supplier, but it applies to every principal subcontractor. It includes a 14-day payment requirement. That is the extent to which this government cares about the small operator.

The member for Koolpinyah spoke about shonks in respect of the government not taking the cheapest price. I can assure honourable members that the Department of Transport and Works does not necessarily take the cheapest price. Recently, we have been castigated, criticised, taken to the Ombudsman and threatened with legal action for not accepting the cheapest price. We do everything in our power to assess the credentials - technical and financial - and the performance of every firm which wins a contract. Of course, no system is perfect. We can but do our best and rely on information from the credit references supplied to us by each tenderer. We check those references with banks and other sources. Given that we deal with contracts with a total value of approximately \$150m each year, that is about as far as this government - or any government - should go. I believe that we manage our tendering and contracting process very well and I take great offence at the member for Koolpinyah's use of the expression 'supercilious arrogance' in reference to officers of the department. I believe that officers of the Department of Transport and Works who have dealings with the honourable member from time to time will not be shy in telling her the same thing.

If I could turn briefly to the member for Stuart's remarks regarding airports, it is clear that he is as embarrassed as his colleagues - and quite rightly so. I believe that, on balance, we have won already. Already, FAC officers have returned to the Northern Territory to re-establish shorter construction periods. The FAC will still be faced with the same red tape constraints that I mentioned earlier in respect of the Public Works Committee and the tendering processes.

We understand that the Leader of the Opposition will fly off to Canberra next week. He would not need to do that if there were no way that the program could be accelerated. Mere logic would demonstrate that his need to travel to the federal capital to talk to Warren Snowdon, Bob Collins and federal ministers stems from their recognition of the very grave damage that will be done, not only to the Territory and to the Territory business community but, more pertinently as far as they are concerned, to their political prospects at the next federal election.

It is no wonder that they are very shy about the untruths concerning Alice Springs Airport. I will leave those matters in the hands of the Alice Springs community, which might question Mr Ede, the member for Stuart, about his position on the interim extensions to the airport. Members of the community will have read Mr Snowdon's press release in which he stated that the \$1.3m extension was to proceed on 19 August 1988. They know what was promised. Members of the opposition can blame Ansett Airlines as much as they like. What happened was that Ansett felt that a 50:50 allocation of space was less than adequate in view of the fact that it had more than 50% of the traffic. That space-sharing problem was resolved in 1988. If the federal government had any commitment at all to the project, it would have proceeded and completed the works in good faith, works that should have been completed in April 1988. I will leave the final judgment to the people of Alice Springs, who may care to take the matter up with the member for Stuart.

It is not surprising that members opposite are shy about the developments in relation to defence programs, which are now on the record. The developments at Coonawarra are to proceed over 4 years instead of 1, with the expenditure of \$16m being deferred to some distant time in the future. The federal government is about to face the fourth election in which Northern Territory airports have been an issue and Territorians will surely not let the federal ALP get away with another hollow promise.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

STATEMENT
Televising of Proceedings

Mr SPEAKER: Honourable members, I advise that I have given approval for Channel 8 to film part of this morning's proceedings for its library footage.

PETITIONS
Emergency Medical Centre for Palmerston

Mr COULTER (Palmerston): Mr Speaker, I present a petition from 971 citizens of the Northern Territory praying that the government establish a 24-hour accident/emergency treatment centre in the immediate vicinity of the City of Palmerston and its rural environs. 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 sheweth that residents of the City of Palmerston and residents of the adjoining rural areas of Darwin do not have adequate access to a 24-hour accident/emergency treatment centre, the provision of which is deemed a governmental responsibility. Your petitioners therefore humbly pray that the Legislative Assembly take urgent, government-funded action to establish within the immediate vicinity of the city of Palmerston and rural environs such a centre or centres for the provision of 24-hour accident/emergency treatment.

Strip Shows on Licensed Premises

Mr HARRIS (Education): Mr Speaker, I present a petition from 82 citizens requesting that the Assembly remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I do not propose that the petition be read as it is in similar terms to a petition presented earlier during these sittings.

SUSPENSION OF STANDING ORDERS

Mr BELL (MacDonnell): Mr Speaker, I move that so much of standing orders be suspended as would prevent:

- (1) Government Business order of the day No 12 relating to the Poisons and Dangerous Drugs Amendment Bill (Serial 86) being discharged from the Notice Paper;
- (2) the member for MacDonnell having leave to introduce a bill for an act to amend the Poisons and Dangerous Drugs Act to ensure that certain persons supplying or who have supplied hypodermic syringes and needles in pursuance of a needle exchange program are not committing, or may not be prosecuted for, a criminal offence for so doing, forthwith; and

- (3) the Poisons and Dangerous Drugs Amendment Bill (Serial 179) passing through all stages at these sittings.

Mr Speaker, the issues involved in this debate have been well canvassed but, for the benefit of honourable members, I reiterate that this legislation is of the utmost importance. The opposition has taken a most conscientious position in relation to it. I want to place on the public record the urgency with which this legislation must be dealt. The bipartisan support that the opposition and the government have given to on the needle exchange legislation must not be allowed to be obfuscated by the controversial debate on increasing dramatically provisions with respect to the use of other prohibited drugs. The needle exchange provisions in this particular bill are vitally important for the Territory. I believe that it would be derelict of this Assembly to rise tomorrow evening for a period of 3 months without the passage of the needle exchange legislation. Are we prepared to give AIDS a 3-month holiday? That is what it would amount to.

Mr Speaker, I point out to you that there are conscientious public health workers, employed by the honourable minister's department, who right now are involved in the supply of needles in order to ensure that the scourge of AIDS is fought, and fought hard, in the community. The honourable minister, and I thank him for it as I have thanked him in the past, has provided us with extensive briefings on this matter. Like many people, including the Chief Minister, I had some misgivings about a needle exchange program to begin with, but I have been entirely convinced by the impressive exposition of the need for such legislation by officers of the minister's department.

Mr Collins and Mrs Padgham-Purich interjecting.

Mr BELL: It is clear to me, as it is clear to all honourable members, with the exception of some people on the crossbenches who have been seeking to make cheap political mileage out of it ...

Mrs Padgham-Purich: Ah no, but you are. I know where my values lie.

Mr BELL: ... that this legislation is vitally important. I believe the legislation will be circulated but, in order to explain the motion that I have moved and the need for a suspension of standing orders in the terms that I have outlined, let me refer honourable members to some provisions in the bill.

Basically, clause 2 mirrors clause 4 of the bill that the government introduced. Clause 3 is an innovation in this opposition bill. It provides retrospective indemnity for officers of the department who have been involved in these programs in the past. Those officers are clearly concerned that they may be liable to a criminal charge for acting conscientiously ...

Mr Perron: You have got a lot of support over there.

Mr BELL: I am surprised that the Chief Minister, who spoke in the second-reading debate on the government's bill with a great deal of force on precisely this issue, is now seeking to trivialise it. It does him no credit whatsoever.

Clause 3 provides a retrospective indemnity. The minister well knows precisely how important this retrospective indemnity is. He knows that he is being advised by his own department that these officers are very nervous about the possibility of being subject to a criminal charge. We would be derelict as a legislature to allow that situation to exist for another 3 months.

Mr Speaker, I find it absolutely extraordinary that the government has allowed itself to get into this position. As we said at the time, the Minister for Health and Community Services tried to pull the wool over our eyes. He was very open about the needle exchange legislation because he wanted our support, and he received it. However, we did not hear a word about the cannabis provisions until the bill hit the Table in this Assembly. The minister sought to obtain our support for the whole package and then to gain support in the community for what he thought would be contentious legislation by saying that the government was being tough on drugs. That was very silly of him, as we said at the time.

The Parliamentary Record will verify that I said that it was vitally important that the 2 issues be separated completely. The opposition is quite happy to support the needle exchange provisions. We were prepared to be involved, and this is the crucial part of it. This morning, I was re-reading the comments made by the Chief Minister. He said that, once in a while, a legislature has to lead. The government has cold feet, but the opposition is prepared to be involved in that process of public education. Once in a while, it is incumbent on us to lead rather than react, and this is precisely one of those times. I believe that, if the government and the opposition joined together in saying publicly that the needle exchange program is important to protect our kids, we would be able to isolate the irresponsible comments of the member for Barkly. As the Chief Minister said, AIDS is no longer simply a disease that is restricted to homosexuals and intravenous drug users. The Chief Minister knows that, out in the electorate, there is not too much sympathy for homosexuals or intravenous drug users. However, I believe that, in terms of humanity, we should be seeking to protect every human being from the scourge of AIDS.

As the Minister for Health and Community Services and the Chief Minister well know, the incidence of AIDS outside the high-risk groups is increasing. Although I do not have the worldwide evidence at my fingertips, it is clear that, unless we are prepared to act quickly, we will be putting the broader community at risk, not only homosexuals and intravenous drug users. The Edinburgh study in particular convinced me of that.

For the benefit of honourable members who may not have heard the item on the news this morning, precisely 3 months has elapsed since this bill was put before the Assembly. The opposition believes that it should be passed and that view is supported by the NT AIDS Council. That council is at the coalface of public health measures to ensure that what is arguably the most dramatic public health scourge of our generation is properly combated. If the Northern Territory AIDS Council is prepared to back what the opposition is proposing at the moment, I believe that the government must support us. We are prepared to take the flak. If the backbenchers opposite want to tell the community that they were pushed into it by the opposition and its rabblers, so be it. If they wish, they can say that Bell told them to do it. I am prepared to wear that because I believe that to do otherwise would be irresponsible. As the Chief Minister said, once in a while we have to lead instead of follow.

The bill for whose passage we are seeking the suspension of standing orders is a simple one. It would be quite possible to deal with it at these sittings. If we pass the motion to suspend standing orders, the bill currently before the House could be discharged from the Notice Paper. I am not seeking to do that in order to wipe off the marijuana issue. I am quite happy to see that back on the agenda but it should be the subject of a separate debate. However, if we do not discharge the bill from the Notice

Paper, it will prove very difficult to amend. It would be better to deal with the issues in 2 separate bills.

The opposition is certainly not seeking to run away from a debate on marijuana laws. However, as we have said consistently, the needle exchange program is a quite separate issue. By discharging the current bill (Serial 86) and introducing the opposition bill (Serial 179), we could put the needle exchange provisions before the House. The bill could be tabled today, debated tomorrow and pass into law forthwith.

We have the opportunity to show a lead in the community. Clause 3 of our bill states: 'A person who, in pursuance of and in accordance with the conditions of a needle exchange program sanctioned by the Minister for Health and Community Services, supplied a hypodermic syringe or needle to another person before the commencement of this act, shall not, by reason only of having done so, be prosecuted for a criminal offence'. Thus, the bill will validate any supply of needles sanctioned by the minister prior to the commencement of this legislation.

I believe that, in association with the minister, the opposition has established an incontrovertible case in favour of the needle exchange program. I also believe that there is an incontrovertible case for the suspension of standing orders in the terms that I have moved so that the legislation can be enacted before we rise tomorrow night. Let me reiterate. We must not give AIDS a 3-month holiday.

Mr DALE (Health and Community Services): Mr Speaker, let me say at the outset that we will not be supporting the motion. I believe that this is a valiant attempt by the opposition to take up the front running on this issue. I will be quite frank about this. Despite the fact that honourable members might think that I am giving myself a compliment, I believe that, 18 months ago, there was only one person in the Northern Territory who really believed that we should introduce the needle exchange program - and that was myself. During the last 2 years or so, I have gone to considerable lengths to educate myself properly on the AIDS issue. I have attended world-renowned conferences and spoken to many people who are involved in the total AIDS scene. I have also consulted with my colleagues in the Cabinet and the parliamentary wing, along with members of my party, in an effort to convince them that a needle exchange program is essential. I then had to convince the opposition. I offered briefings and every service my department could provide to members of the opposition and the crossbenches so that they could fully educate themselves in relation to AIDS and the role of needle exchange programs in combating it.

I have also consulted community organisations, churches etc. I have written to organisations such as Banyan House and others to sell the proposition of needle exchange in the context of the impact of AIDS on the people of the Northern Territory. We have introduced AIDS education programs, particularly in relation to Aboriginal education, which have been recognised at an international level to the extent that Miss Bernadette Hudson has now been invited by the federal government to chair a committee that is touring Australia on the subject.

If anybody has any doubt whatsoever of my commitment to an integral part of the AIDS program, the needle exchange program, then he really needs to adjust his thinking a little, because I can give this House my absolute guarantee that I am totally committed to the program that we have embarked on. This government has taken the decision, despite the fact that all of us have

had some misgivings about the impact that it might have in other areas and, of course, the public perception - let us be politically wise about it - in terms of what the impact will be in the drug scene. We are fully aware of all of those factors. Knowing and appreciating the absolute importance of this, as well as the very delicate task of trying to sell the measures to the community, particularly those who work in the area - such as the police, the judiciary, legal practitioners, doctors, pharmacists and community workers - we recognise that we have to get it right.

I have had this legislation, as it relates to needle exchange, in this House now for some 10 months for public debate in order to obtain a comprehensive response from the public, from the judiciary down, and to ensure that people are educated in the reasons for the program and its intricacies. That applies even to the drug users, to the persons who might have the AIDS virus and who will share the needles. They need to be confident that what we have in place will work and that they can be confident that other legislation relating to drugs will not threaten them if they walk to the place where they will obtain the syringe. We need to instil confidence also in the people who will issue the syringes. I cannot rely on the Northern Territory AIDS Council alone to distribute these needles. They need to be distributed through other agencies as well. It is a fact of life that the public debate on this issue as it relates to the drug scene has caused many people some concern.

Account must also be taken of the fact that this government is committed to toughening the laws relating to the drug scene, and many other areas, and the Attorney-General spoke about that yesterday. It is unfortunate that some of the would-be political giants of this House have taken the opportunity to go into the public arena and, for the sake of grabbing a couple of political points, have made a great many misleading statements on these issues. As late as 13 February, I received comments on this bill, in its entirety, from the Northern Territory Bar Association. Some points were raised in respect of the actual administration of the legislation in terms of court procedures, the impact of the procedures, search warrants and other matters. Until we can satisfy all the people involved with the impact of this legislation, we will take the time to do that.

I said earlier that we must get it right. The needle exchange program, in its pilot stage, can and will continue whilst these matters are sorted out between now and the next sittings. I thank and congratulate the opposition on its approach to the needle exchange program. However, it is no good our mucking around on this very delicate matter. By agreeing to this motion, we would discharge this entire bill from the Notice Paper and that is not what the government wants to do. We want the issues thrashed out. The actual aims of the legislation as depicted in this bill are certainly what the Northern Territory government wishes to achieve. We will have the legal niceties of it sorted out so that it can be implemented in a reasonable and rational way. Given that the pilot program is under way, there is no need to rush the legislation through in a state of confusion at this stage.

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

Motion agreed to.

Motion negatived.

STATEMENT
School Leaver Employment Program

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I rise to make a statement with regard to the School Leaver Employment Program. I should not get any argument from the other side of the Assembly when I say that the Northern Territory's greatest single resource is its people, particularly its young people. Despite Senator Walsh's belief that the Northern Territory is a waste of time and money, the government has put in place a school leaver program of which it can be justifiably proud. For the Territory to prosper, it must develop its skill base so that its people can take advantage of opportunities as they emerge. It is up to this government to see that there is a work force of Territorians available to staff our factories and our service and rural industries. This government, together with the Territory's private sector, is doing just that.

To recount some of the background for the benefit of honourable members, the government has had a School Leaver Employment Program for some years. In 1987, it was substantially reviewed. As a result of that review, Cabinet has committed more than \$2.4m to train school leavers and to assist them to gain employment. Last year, this funding assisted some 266 school leavers. They were given additional skills and basic trade training to help them find employment. This year, the program has been extended substantially and will accommodate 440 young Territorians. Despite the problems we have with the federal government in some other areas, I am pleased to report that, as a result of close liaison and a very good working relationship between my department and the Commonwealth Department of Employment, Education and Training, the federal government has contributed \$300 000 towards the total program.

This year, the School Leaver Employment Program will involve 7 discrete initiatives. 34 positions have been allocated in the Northern Territory Public Service under the public sector base-grade intake initiative. Half of these are in Darwin and the other half are spread across the Territory. Actual employment of these school leavers commenced on 20 January. These positions are not job-creation. They are training positions to enable young people to fill permanent vacancies as they occur as a result of resignations or promotions.

Another initiative with which I am very pleased to be associated is the Public Sector Disabled Persons Scheme. The Year of the Disabled has long since come and gone, but I am sure that the heightened level of awareness which it generated lives on. This calendar year, the government has increased its effort to ensure quality of opportunity in employment to the disabled in our community. This additional effort has resulted in the allocation of 10 positions in the public service for an initial period of 6 months. At the end of this period, we believe these employees will make worthy candidates for permanent positions in the public service. Whilst there can be no guarantee of a permanent position at the end of this time, the calibre of the first trainee who joined the scheme last month gives me great confidence that it will be a success. At the very worst, it will provide training and work experience which will be of enormous benefit to these young people in the future. Both the Territory's private and public sectors have a good record of employment of disabled people and this additional effort by the government will further improve that record.

The private sector plays an essential role in the School Leaver Employment Program. The government does not want to, nor could it hope to, employ all

440 school leavers within its own work force. While the government is willing to provide the funds, it relies on the private sector to provide its share of the training and employment opportunities which are vital to the School Leaver Employment Program's success. An extremely good working relationship has been developed between my department and the Territory's private employers. This relationship has resulted in a large proportion of our trainees in the program starting their working life with a private firm.

This is certainly the case with the third initiative - cadetships. This year, the government will spend \$183 000 on funding 11 cadetships. This is in addition to the 6 cadetships commenced last year. These 11 cadets will be in the fields of architecture and engineering and will undertake study in the appropriate associate diploma. The final 2 years of these cadetships will be totally funded by the respective employers.

The fourth initiative for this year is Workstart. As the title suggests, it is designed to give school leavers a short period, usually about 3 months, of on- and off-the-job training in a variety of occupational skills. This basic training equips them for future employment and overcomes the dilemma faced by so many young people that they lack work experience when seeking their first job. Last year, 93 school leavers participated in Workstart with more than 90% achieving either full- or part-time employment. This year, the government will spend in the order of \$0.5m providing training for 162 school leavers under Workstart. These 162 people will be offered training in the automotive, building, fishing, local government, retail and tourism industries. 51 Workstart places will be offered in Alice Springs, 93 in Darwin and the remainder in the other major Territory centres. The government is confident that a similar high level of placing people in employment will be achieved this year. The support and enthusiasm of private sector employers for last year's program is the major reason for this confidence. Following that success, I believe employers will increasingly look to this program as a means of building up their work force.

In the area of trade training, the government considers the Pre-vocational Training Program to be vitally important. This program is designed to give school leavers off-the-job, workshop-based, practical training in a range of trade disciplines. This training equips young Territorians to take on an apprenticeship in their chosen trade and counts as their first year in that trade. This calendar year, the government will spend \$850 000 to provide pre-vocational training for 150 school leavers. These young people will receive training in a wide range of trades covering the metal, construction, hospitality and general service industries. The close relationship between my department and the Department of Education has resulted in an agreement with the Territory's TAFE establishments to provide this training for 68 students in Darwin, 51 in Alice Springs, 16 in Katherine and 15 in Tennant Creek. Again, this program has won the support of employers by providing young people who are productive from the day they start work.

In 1988, the government addressed the problem of skills shortage in the automotive and building industries by providing funding for 5 additional apprenticeships in each industry. These apprentices are indentured to the Master Builders Association and the Automotive Industry Training Council. The government's commitment is for the full 4 years of the apprenticeship at a cost this year of \$100 000.

Finally, I want to deal with the public service scholarships. This is not a new area of endeavour for the government. 50 scholarships, worth \$3599 each, have been offered to Territorians, mainly school leavers, every year

since 1984. In 1989, we will again offer 50 scholarships at the Northern Territory University in the Faculties of Arts, Business and Science to first degree undergraduates. I should announce, at this point, that those applicants have been chosen from a very wide range of applicants this year. In fact, I believe that notifications have only just been sent to the successful applicants, as the final decision was taken only in the last day or so. These scholarships are funded by the Department of Education and are administered by my department. In addition, individual departments offer scholarships in their particular areas of expertise. In 1989, there were a further 24, bringing the number of scholarships offered by the government this year to 74.

The government has a clearly defined policy to give young Territorians the best possible start to their working careers. The way ahead for the Territory's development must be based on the development of its people. It is essential that this community, particularly our young people, be given the opportunity to obtain skills necessary to carry the Territory forward. It is all too easy in times of budgetary restraint to make cuts in the area of training. We will not consider this course because we believe such cuts would be shortsighted in the extreme. In fact, in these adverse economic times, there is a need for resurgence in training effort. This government's commitment of \$2.43m to give 440 young people a start towards meaningful and long-term employment in the Territory is one of which it can be justly proud.

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

Debate adjourned.

Mr EDE: Mr Speaker, I draw your attention to the state of the House.

Mr SPEAKER: A quorum is not present. Ring the bells.

Bells rung.

Mr SPEAKER: A quorum is now present.

MATTER OF PUBLIC IMPORTANCE
Inadequate Management of Brucellosis and Tuberculosis
Eradication Campaign

Mr SPEAKER: Honourable members, I have received the following letter from the member for Stuart:

Dear Mr Speaker,

Pursuant to standing order 94, I propose for discussion as a definite matter of public importance this morning the failure of the Northern Territory government to adequately manage the Brucellosis and Tuberculosis Eradication Campaign in respect of: (a) destocking of land pursuant to the program; and (b) the staffing and operation of the Department of Primary Industries and Fisheries.

Yours sincerely,
Brian Ede,
Member for Stuart.

Is the proposed discussion supported? It is supported.

Mr EDE (Stuart): Mr Speaker, in debate in this House, in press releases, departmental publications, circulars and in letters, this government has been continually saying that shooting to waste and shoot-outs would be a policy of last resort only. That is a policy which we in this House have wholeheartedly endorsed. It should be a matter of last resort. The policy has been that the commercial contractors would be used in the first instance, the pet meaters would follow and, finally, there would be shooting to waste.

My first point in this debate is that, given the government's stated policy, the practice of implementation is totally incongruous. Although it is not my major point, I would like the honourable minister to respond to it when he rises to speak.

The way that it works is that people pay to go on to properties to remove, say, buffalo. When they have finished, the government comes in with public servants in helicopters, and so forth. Considerable sums are spent in an attempt to shoot out the remaining beasts. It seems incongruous that there is no intermediate step whereby the property owner would be given the opportunity to get what he can out of the beasts that are left and pay a penalty for every beast that the government shoots after that time. That would be a more cost-effective way of completing the shoot-out instead of public servants shooting substantial numbers of buffalo at great cost to the taxpayer and with no benefit whatsoever to the industry.

In talking about mismanagement, the major point that I wish to raise today focuses upon a practice which is absolutely outrageous and should not have been occurring. It must stop immediately. I refer to shooting to waste to clear land which is unfenced. If all else had been done, if the private contractors had been in and the neighbours had attempted to get back all the cattle they could and nobody else was interested in the block, even though there were a small number of beasts left there, it would be fair and reasonable for the government to shoot out the area as a final measure. However, in that instance, we are talking about a discrete, securely fenced area which would be clean when the remaining beasts were shot.

However, the government is trying to kid itself that it is shooting out and totally clearing areas which are not even fenced, and which border on other properties - cattle properties or buffalo/cattle properties - carrying herds which contain diseased beasts. The nature of buffalo is such that they tend to roam back into areas that have been cleared, which leads to the entire effort having to be repeated. Every dollar spent is a dollar wasted. It is absolutely outrageous. Only some deep, strange, convoluted bureaucratic mind that sits on a mat and draws circles and lines across a map on the wall would be content to believe that an area can be shaded in as cleared because the buffalo shooters have been there and government people have shot everything in sight. That is not the real world. Buffalo are renowned for wandering. Cattle will move quite substantial distances, especially in times of change from drought to times of plenty, but buffalo are well known for their annual migration.

A member: Have you ever seen one?

Mr EDE: In a minute, I will tell you where I saw them quite recently. Just hold your horses. The buffalo move back into supposedly clear areas from neighbouring dirty properties and whole areas are reinfected. Money is completely wasted and the practice brings the whole program into utter disrepute.

This does not occur only in areas where buffalo are found. It also occurs on pastoral properties south of Katherine. I have heard about incidents involving shoot-outs on unfenced properties adjacent to properties which have been given exemptions for a period. Such things have occurred around Hodgson Downs and similar places.

My main concern today, however, relates to the government's own reserves, specifically the Marrakai Reserve and the Mary River Flora and Fauna Reserve.

Mr Coulter: What is the difference between Marrakai and the Mary River Flora and Fauna Reserve?

Mr EDE: I will tell you one thing that is common to both of them: neither of them is fenced. Let us look first at all at Mary River.

Mr Hatton: The fact that it is a pastoral property has nothing to do with it.

Mr EDE: The member for Nightcliff used to be Minister for Lands. One would expect him to know that there is a Marrakai Reserve as well as the Marrakai property. The fact that he does not know that is outrageous. Honourable members should know where the Mary River Flora and Fauna Reserve is.

Mr Coulter: I am sure that you have not been there.

Mr EDE: I will tell you about my visit to the Mary River Flora and Fauna Reserve. First of all, however, I will give some background. There was a shoot-out in the area early last year. That shoot-out was quite controversial. The government said that in the order of 1100 head were shot. A group of pet meaters from down south were brought in ...

Mr Hatton: There has been contracting out for 5 years.

Mr EDE: Of course there has been 5 years of contracting in an effort to get rid of the buffalo. The area is not fenced! Every time you clean them out, they move in from somewhere else.

Mr Coulter: Have you ever been out there at this time of the year? The fences would have to be 20 ft high.

Mr EDE: I have been there.

Mr Coulter: What sort of fence do you propose?

Mr EDE: Mr Speaker, some of the fences are quite adequate. Others are not. Let me continue.

During that period, the pet meaters did very substantial damage to the environment. Their vehicles moved out towards the saltwater and saltwater intrusion has occurred as a result. In November, however, the government decided that it would carry out the final stage of the program in the reserve by eliminating all the buffalo in it. Between 14 November and 20 November, they went out there with helicopters.

Mr Reed: Who was this?

Mr EDE: The government. Senior departmental staff went out there for 6 days with helicopters, fuel, vehicles, ammunition and senior departmental staff, supposedly to finish the job of clearing all buffalo from the Mary River Flora and Fauna Reserve. I am told that the officers involved claim to have shot some 150 head during that operation. However, people who flew over that area immediately afterwards have spoken to me. One person saw 30 head and another estimated that, with a bit of luck, up to 60 animals might have been shot. After all this had occurred, I had discussions with the people in that area. This effort, which had involved 6 days of helicopter hire, 30 drums of fuel and great expense generally, had been undertaken in order to finally eliminate buffalo from the reserve. Within 5 minutes of flying over the area in a helicopter, I saw 2 distinct herds totalling over 60 buffalo.

Mr Reed: You were probably over Joe Blow's buffalo paddock.

Mr EDE: I certainly was not over Joe Blow's buffalo paddock. I will tell the honourable minister where I went. I went due east until I picked up the fence line and I followed the fence line down to the border between the Marrakai Reserve, Woolner Station and the Marrakai property. I followed what passes for a fence in that area and found them in that corner, a considerable number of miles from any access to Woolner Station. I then flew further north and saw buffalo tracks everywhere. That was the situation after the act of last resort, the final shoot-out. It was an abysmal failure.

How many more last resort shoot-outs will we have? Will we continue to have last resort shoot-outs? Of course, 1 of 2 things happened in relation to the Mary River shoot-out. Either it was ineffective and beasts were not shot in the numbers claimed or more beasts have come in from the unfenced adjoining properties. I remind the minister that part of the Woolner western boundary is not fenced, that the eastern boundary of the Mary River Flora and Fauna Reserve is not fenced and that part of the southern boundary is not fenced.

Mr Reed: Sorry, what did you say about the western boundary?

Mr EDE: I said that part of the western boundary of Woolner is not fenced.

Mr Reed: That is what I wanted to hear. Thanks very much.

Mr EDE: If the honourable minister wants to discuss that fencing or to raise the issue of the Groves' commitment to fencing their property, I am quite prepared to table letters from the Groves begging the government to fulfil its part of the agreement and supply the materials to complete the fencing of that section. I have the details of correspondence back and forth between the government and the Groves and it is clear that the government has not complied with its agreement to provide the materials to complete that fencing on Woolner Station. If the government cannot keep its word in respect of such matters, what does it expect? Does it expect station owners to provide the materials and the labour to fence the government's reserves? That is contrary to all previous practice and all the agreements the government has entered into in the past. It would be absolutely outrageous.

Mr Coulter: Why would you want a fence where most of your stock comes from each year?

Mr EDE: Even if that is the case, Mr Speaker, the fact remains that the other areas are not fenced either. Why doesn't the government provide the materials for everybody to fence the Mary River Flora and Fauna Reserve? Why

would it pretend that it is shooting to waste all the buffalo in an unfenced area? That is absolute insanity.

Mr Coulter: Your point is taken.

Mr EDE: The point is taken?

Mr Coulter: 2500 head were shot on Marrakai last month as well - in a final shoot-out, if you like.

Mr EDE: Marrakai Reserve?

Mr Coulter: Marrakai Station.

Mr EDE: I am told that, in the shoot-out on the Marrakai Reserve, the government maintained that it shot some 200 buffalo and 30 of its own cattle. As some honourable members may know, the western boundary of the Marrakai Reserve is not fenced. The boundary with Marrakai Station is not fenced. In November, the government was shooting out the Marrakai Reserve. On the road from Woolner back to the main highway, you go through the reserve and, most certainly, there were cattle droppings on the road. That was well after the shoot-out.

As some honourable members may know, the buffalo in that area have become so spooked by the continual shooting and by the inefficient roundups that have not covered the whole area, that they have become nocturnal. It is almost impossible to eliminate them by daytime shooting. You have to go in there during the Dry and, during the night hours, attempt to muster them by using practices that have been proven in the past. The government ignored all that and would not allow the previous musters to continue. It decided that it would go in and shoot out the Marrakai Reserve, an unfenced area. It now says that it has shot out Marrakai Station. What has happened in the months in between? Is it trying to maintain that, even if it did shoot every beast in the Marrakai Reserve, none of them has moved across from Marrakai Station and we do not have dirty buffalo on the reserve again? Is it trying to maintain that the buffalo respected a line on the map and stayed on their side of the unfenced boundary line until such time as the government could undertake the shoot-out on Marrakai Station?

This entire program is patently absurd and is costing a fortune. Scarce resources are being wasted on shoot-outs of unfenced areas and the government is kidding itself. The cost of shooting the last few buffalo would probably be the same as shooting the first thousand buffalo when you are working from high densities. The shoot-out on both those reserves will have to be done again. The costs will probably be far in excess of what has been spent on all the shoot-outs to date. If that is so, the government has absolutely wasted all that money.

I hope the minister will be able to tell us - and if he does not, I will ask him a question on notice - how much those shoot-outs have cost. How much money was wasted in the Mary River Flora and Fauna Reserve? How much money was wasted in the Marrakai Reserve? In the pastoral industry, there are many other priorities on which that money could have been spent with very good effect. The situation is scandalous and outrageous. I hope that, in replying to the points I have raised, the minister will not simply rant and rave but will actually give us a credible answer and a commitment to do better.

Mr REED (Primary Industry and Fisheries): Mr Speaker, this is the second time in 6 months or so that I have had to stand up and respond to a frivolous MPI from the opposition in relation to the BTEC program. In answer to a question earlier in the week, I indicated the damage that this sort of negative, unconstructive, misleading and unfounded information does to the pastoral industry in the Northern Territory. It has an effect, not only within the Territory but nationally, and I think that the shadow spokesman for primary industry should be absolutely ashamed of himself for the performance he has given today in continuing his unfounded attacks on the BTEC program.

This is the member who has called for the program to be stopped, without recognising the fact that it is a \$900m national program. On various occasions, he has asked for it to be stopped. He has suggested that people are rorting the system, and he has accused public servants and other people in the industry of having ill-gotten gains from the BTEC program. Unfortunately, he has continued to make similar comments today.

One of the differences between his last onslaught and today's is that the attack of 6 October last year was led by the Leader of the Opposition. He quickly had his fingers burnt because he got into deep trouble with the Territory Cattlemen's Association. The Leader of the Opposition will recall that the Cattlemen's Association wrote him a lengthy letter on 10 October in which it spelt out the requirements of the program and the industry's commitment to it. The Leader of the Opposition has not responded to that letter. The closing paragraph of the letter is worthy of being placed on record. Mr Dyer, the president of the association, closed the letter by saying: 'We remain as always available to meet with you and your colleagues and representatives to discuss matters of importance to the Territory's beef cattle pastoral industry, the majority of which we represent'.

The shadow spokesman on primary industry and fisheries has never once sought a briefing from my department or my office in relation to BTEC and he has never once sought advice from a supporter of the BTEC program. We all know that those who oppose the program are, by far, in the minority. As I have indicated, the Leader of the Opposition has not even had the good manners to respond to the letter from the Cattlemen's Association and I remind honourable members that the Cattlemen's Association was so moved by the onslaught of the opposition last year that it went to the extent of placing a full-page advertisement in the NT News. Mr Speaker, I table a copy of that advertisement.

The Cattlemen's Association is the principal association representing the pastoral industry in the Northern Territory and, that the Leader of the Opposition and the member for Stuart to ignore it, gives a clear indication of the true level of their concern for the pastoral industry in the Northern Territory. We heard nothing of substance today from the honourable member opposite. He repeated the same platitudes, based on rumour and innuendo, that we have become used to hearing in this House. He said he had heard this and heard that. He had heard that someone went out to shoot something. He had heard that there was no fence.

Mr Ede: I was there.

Mr REED: He did not prove a thing. Mr Speaker, I would hope that the honourable member would also have contacted his colleague in Canberra, Senator Richardson, the federal Minister for the Environment, in relation to some of the matters which he has raised today. Bear in mind, Mr Speaker, that the ANPWS has conducted a similar program in Kakadu and that the northern part

of Kakadu, which is largely unfenced, did not hold up the program but was an essential part of it.

If the member opposite happens to contact Senator Richardson, I ask him to pursue with him the matter of buffalo on Gimbat Station. The Buffalo Industry Council has advised me of the intention of ANPWS to shoot out buffalo on Gimbat. There are some 4000 head of buffalo on Gimbat and disease prevalence is low. Those animals may well be useful in the development of our domesticated herds. I have written to Senator Richardson and asked him to confirm that those animals will be retained and made available to the buffalo industry. I hope that the honourable member opposite will assist the industry by supporting that request to Senator Richardson.

Mr EDE: A point of order, Mr Speaker! The minister has used a quarter of the time allotted to him and has yet to come within cooee of the very specific point that was raised in relation to the shooting out of buffalo in unfenced areas of government reserves.

Mr SPEAKER: There is no point of order.

Mr REED: Mr Speaker, the honourable member mentioned the Marrakai and Mary River Flora and Fauna Reserves. I can agree with him that a couple of boundaries might not be fenced. It would be a little difficult to fence the western side of the Marrakai Reserve because it is bounded by the Adelaide River which is quite an effective boundary. Of course, it is well known that such natural boundaries are good for securing stock.

Mr Ede: What about the eastern boundary?

Mr REED: Do not worry about the eastern boundary. You were too concerned about the western boundary.

We should be alert also to the fact that the honourable member has very cunningly used the reserve as an example of an area that was shot out. It is a bit misleading to look at the small areas. The reserve was a component of a larger area that was shot out. The areas that were shot out on a regional basis comprised the reserve and a number of surrounding stations, the boundaries of which are fixed. The reserve is a component of that and it is quite a reasonable approach to undertake disease control procedures within a larger area.

Mr Ede: This is ridiculous.

Mr REED: You would not understand it. You have not understood anything about the program.

Mr Ede: I will say it again. This is stupid.

Mr REED: If I had a blackboard, I would show you because you might be able to relate to it like my 5-year-old kid. You have a small area of reserve in the middle of a larger area which is contained by a boundary. The overall area was shot out as part of the program.

In relation to the program of shooting in what he calls unfenced areas, I would remind the honourable member of the situation in the southern Alice Springs region during the early stages of the campaign. The very same argument was used. It was stated that we were shooting in unfenced areas, which is the same illogical argument now being put by the member opposite.

The proof of the success of the program is that, on 1 March, the impending free area in the south of the Northern Territory will double in size and will therefore include an additional 265 000 head of cattle. Because that is a positive example of how successful the program is, the member opposite will not be interested in it. He has no idea of how it works and he has not looked at the history of the progress of the campaign over the years.

Mr Ede: There is a fair difference.

Mr REED: Well, he did not hear that either.

Mr Speaker, of course, shooting in the reserves took place with the cooperation of adjoining landholders. Unfortunately, in respect of one of the reserves, one landholder did not proceed even though he had agreed to do so in the first instance. He pulled out, and the whole exercise fell down. A converse example is a cooperative landholder adjoining the reserve who cooperated to the extent that, if animals went across his boundary, the department was authorised to pursue them. Really, Mr Speaker, you have to balance the story. But, the honourable member is not concerned with balance. As I have said, the member for Stuart has never contacted my department or myself for advice on this matter. He has never contacted a landholder who supports the program, who is participating in it and experiencing the real benefits of it. He only wants the negative story.

Let us examine the sort of example that he has raised today. I think it is pertinent that we put on record some of the types of people whom the member for Stuart speaks to. It is time that some of the facts were put on the record about just how much assistance these people receive. I will retain their confidentiality. I will not disclose the actual stations, but I will give 3 examples of the types of assistance that have occurred on 3 properties in the Northern Territory. A major problem in the BTEC program in the Territory is pastoralists who make written agreements in their approved programs and then fail to keep them or comply only to a limited extent. Such people waste the time of departmental staff, put their neighbours at risk and delay the declaration of areas.

I come to the first example. In 1984, the station owner agreed to do the following: to muster stock from all bush areas and place them in securely-fenced areas and to conduct a test program, testing twice a year from 1985. In all, he agreed to have 19 000 tuberculin tests done by the end of 1988 and to destock 10 000 head by the end of 1986. In fact, he has no secure paddocks and he has not tested twice-yearly. He had tested only 2970 head and only 5320 were destocked up to the end of 1988. The Department of Primary Industry and Fisheries has met all of its commitments and \$310 485 has been paid out in assistance and compensation. Despite this expenditure, there is no obvious progress in eliminating TB from this property.

Mr Ede: This is not evenly remotely close to the MPI.

Mr REED: I come to the second example, but the honourable member will not want to listen to it.

In 1987, another station owner agreed to carry out the following activities in 1988: to completely destock unfenced bush areas and to advise the department so that any residual animals could be shot. Neither activity was carried out. In fact, 4000 head only were destocked from a population of 5000 bush stock in fenced and unfenced areas. It was agreed also that he would completely destock fenced bush areas, a controlled herd would be drafted

in and good quality breeders would be tested twice. No testing was done. Poorer quality breeders were to be sent to the meatworks, some under an optional destocking compensation agreement. Only 230 of a possible 2000 animals were destocked under this scheme. This is the third annual program that DPIF staff have negotiated where agreements with this landholder have been broken. This pastoralist has received over \$400 000 in assistance yet there has been no obvious progress.

I come to the third example. The owner agreed to destock completely a bush area in 1988 and residual stock were to be destroyed in February/March 1988, provided that an adjoining reserve shoot-out occurred concurrently. When the reserve shoot-out was to occur, there was no cooperation from the landholder. He went screaming to the media and there was no shoot-out. He agreed to carry out a full-herd test on cattle in April-May 1988. Some testing occurred in September, but none of the testing was done in accordance with BTEC guidelines because the tested stock were let back into a paddock containing infected stock. Total compensation paid to the station to date is \$495 181. A commitment was made in 1984 to 9700 TB eradication tests by 1986 and twice-yearly testing from 1985. No twice-yearly testing has been done and only 4318 approved TB eradication tests were done by the end of 1988.

I give these examples because it is important to recognise that, whilst the funding is provided on a sound basis and in accordance with the BTEC guidelines, it is in agreement with landholders. As I have mentioned, in the case of reserves, the agreements can extend to adjoining properties, as drawn to my attention by the honourable member opposite.

As I have said in the House on a number of occasions, most stations in the Northern Territory are cooperative and strongly support the program. Of course pressure is applied to the minority of stations which are not cooperative. These people who are not performing are the ones whom the member for Stuart visits. He does not pursue the positive side of the story. He does not contact the station owners who support the program and can tell him the good news. The only type of station owner he visits is those who have received BTEC funding but are not performing.

Mr Ede: Have you talked to them?

Mr REED: The department must continue to pressure them and to get them to perform. I have indicated before that 50% of the funding comes from the cattle industry.

Mr Speaker, on Thursday 6 October 1988, the member for Stuart said in this Assembly: 'That means that very few people outside the Northern Territory care about or want to understand the problems that we have here'. The cattlemen in Victoria, who have been disease free for 2 or 3 years and are still contributing to the BTEC program in the Northern Territory, care very much about the program in the Northern Territory.

Mr EDE: A point of order, Mr Speaker! The minister is now 16 minutes into the 20 minutes that are allocated to him and he has yet to address the subject of this discussion - his management of BTEC.

Mr SPEAKER: There is no point of order.

Mr REED: Mr Speaker, the truth hurts. I have explained the program as it applies to reserves in the Northern Territory, in particular to the 2 areas

mentioned by the member. On a number of occasions, I have indicated the importance of the program to the Northern Territory, how we are viewed nationally and how we are keyed into a national program.

We have made significant progress in the Northern Territory in eradicating tuberculosis. A further 59 properties have recently been included in an extended impending free area. The Northern Territory has also made excellent progress with brucellosis eradication and, by June this year, we will have fulfilled all of the criteria necessary in order to be declared free. Submissions to the Animal Health Committee and the BTEC Committee are now being prepared.

Mr Ede: This has nothing to do with the MPI.

Mr REED: Mr Speaker, it has everything to do with the MPI because what the honourable member is about is destroying the BTEC program in the Northern Territory. I quote from the newspaper of Tuesday 11 October 1988: 'Mr Ede - "Stop the program"'. This man is the shadow minister for primary industry and seeks to be responsible - and we trust he never will be - for a \$900m program. He is a traitor to the industry in the Northern Territory. He is an absolute disgrace to the industry.

The Leader of the Opposition has not even responded to a letter from the Cattlemen's Association, the principal association representing pastoralists in the Northern Territory yet he rises in this Assembly to say that this government is out of touch with the industry. That gives some indication of how committed members opposite are to the Northern Territory and to the BTEC program. Having had his fingers burnt in October, the Leader of the Opposition is content to sit back and let the member for Stuart lead the push: 'You have a go because I messed it up last time. I will deal with the staffing side. We will have 2 bites at the cherry and that will give us 2 opportunities to get it right. We might be able to score a couple of points'. It will be very interesting to hear what the Leader of the Opposition has to say. I do not think that he will offer much more of substance than the member for Stuart has offered on this occasion or in October last year.

Mr Speaker, I do not intend to waste any more time on the issue. As I indicated at the outset, this so-called matter of public importance is frivolous and an absolute disgrace. The cattle industry in the Northern Territory, which contributes well over \$100m to the Territory economy, deserves better treatment. I hope that this puts to rest the frivolous activities of the members opposite and their complaints against the BTEC program which, of course, reflect directly on the staff of my department. I resent that very deeply.

Mr SMITH (Opposition Leader): Mr Speaker, normally, when the Minister for Primary Industry and Fisheries rises in debates on primary industry matters, I ensure that my office circulates his contributions far and wide because they reveal his ignorance and his inability to learn about his portfolio. On this occasion, I will ensure that his speech does not get outside the borders of the Northern Territory because, as the minister said, we have an important program running in the Northern Territory. In part, that program is funded nationally and yet the minister can rise today and say that in excess of \$1m has been wasted and spent to no effect on 3 properties in the Northern Territory over the last few years. That is an indictment of the minister and of his department's operation.

Mr Reed interjecting.

Mr SMITH: \$300 000 on one property, \$400 000 on a second property and \$495 000 on a third property adds up to \$1.095m. The minister says that money has been spent to no effect. I ask members to go back through the record and check that. \$1.095m was spent - 'wasted' is a better word - to no effect. We do not believe that that should have happened. We are not here to say that people who do not follow the program should be reimbursed. What we are here to say is that what we have heard from the minister's own lips is a perfect indication of what has gone wrong with the program - \$1.095m wasted! As I said, I hope that that information does not go beyond the borders of the Northern Territory because it will certainly make cattle producers outside the Territory more reluctant to keep on funding the BTEC program. I would hope that the minister will reflect ...

Mr Perron: The bloke who is doing the most damage to the Territory's involvement in BTEC is sitting alongside you.

Mr SMITH: If you had any guts, you would participate in this debate. All you can do is interject.

Mr Perron: It is very easy to do with the crap that you are coming out with.

Mr SMITH: Have you finished?

Mr Perron: No. Carry on and I will let you know when I am.

Mr SPEAKER: Order! I ask the Chief Minister to withdraw that reference.

Mr PERRON: Mr Speaker, I unreservedly withdraw any remark which may have given offence.

Mr SMITH: Mr Speaker, it typifies the problems which we have in this area when a minister can admit in this House that he has wasted over \$1m of hard-earned money, money which comes from the taxpayers of Australia and the cattle producers of Australia. If he cannot understand that basic premise, he has little hope of understanding the other arguments which my honourable colleague has put forward today.

Mr Speaker, I turn to the subject of the 4000 buffalo on Gimbat. I do not know what Senator Richardson's reply will be but now ...

Mr Reed: You should get on the plane and see if you can do something about it.

Mr SMITH: Certainly. I will make sure that the minister is made aware of the matter and that my federal colleagues are similarly informed. I am sure that the buffalo industry hopes sincerely that the federal government and the federal minister will show some more sense in relation to the preservation of buffalo stock than the Northern Territory government has shown. This government's shooting-to-waste policy has unnecessarily destroyed so much of the potential buffalo breeding stock of the Northern Territory. No wonder the Buffalo Industry Council of the Northern Territory sees Gimbat Station as the last resort. It represents the industry's last opportunity to get together a decent herd of disease-free stock as a basis for breeding. The minister can be assured that we will take up that very important issue with Senator Richardson. I hope that he will not take the course of action which

the Northern Territory government, particularly the minister opposite, has followed so blithely.

The BTEC issue has been unique in my experience as a member of parliament. As I have said before, my own office and the office of the member for Stuart have received more unsolicited letters, visits and telephone calls on this matter than any other with which we have ever been involved. There is a real problem out there. The industry recognises that, as does this opposition, and as do senior officers in the minister's own department.

I am not sure whether the minister has bothered to cast his eye over the Sykes Report, 'The Future Management of BTEC in the Northern Territory'. That report was prepared by the then Principal Veterinary Officer, prior to his leaving the Northern Territory because of his dissatisfaction with the way the program had been run. It is a very sound document which, if implemented, would provide the basis for a much better effort. It states that, if BTEC is to work in the Northern Territory, there are 4 critical factors. It must have industry, government and departmental support and, I would have to add, a competent minister in charge. Secondly, it must have committed capable and effective staff; thirdly, it must have effective and efficient eradication procedures; and, fourthly, it must have effective and efficient monitoring procedures.

I will start with the first factor: the need for industry, government and departmental support. We know that there is enormous concern in the industry. Whilst it may be that the majority of pastoralists are not expressing concern, a very significant minority of pastoralists are doing so. They certainly have some legitimate complaints and concerns, but what does the honourable minister do? Nothing. He rejects their concerns out of hand and refuses to take on board the points they raise. I am sure that they have written to him, telephoned him and visited him, as they have done to us. What does the minister do when the member for Stuart raises these concerns? He ignores them.

I can inform the minister that his approach to this issue is receiving less and less support in the industry. His refusal to listen, his refusal to take advice, his refusal to go out and get his feet dirty means that, very rapidly, he is losing the support of pastoralists, particularly in the Top End. I must say that it is a unique experience for members on this side of the House to get such a warm and welcoming reception from pastoralists as we have been receiving lately in relation to this issue. I pay tribute to the member for Stuart because he has worked very hard to address the problems and is receiving kudos for that from the industry, as well as for his knowledge of the industry and the difficulties it has to face. We do not mind taking the kudos, but that should not have been necessary. If a competent minister were running the department, that minister would get the kudos for recognising the problems and being seen to be doing something about them.

Mr Reed interjecting.

Mr SMITH: But no, that is too hard. You sit in your ivory tower and ignore everything that comes across your desk that might upset the grand plan that you have in place. You ignore the fact that people are hurting because their stock have been shot out unnecessarily and people are hurting because of unfenced government reserves which have an impact on them and their properties. You ignore all that, and you live with this blind faith and this blind confidence that all is going well.

I have a message for the honourable minister: all is not well in the industry. There are grave and serious concerns and, the sooner the minister addresses himself to those grave and serious concerns, the better off the industry will be. Let us not mince words. In certain parts of the Territory, the industry is in a very sick condition indeed as a result of the way the BTEC program has been administered.

Let us have a look at the committed, capable and credible staff that are required to run the program. The Sykes Report states that the department has suffered from the loss of key and experienced personnel in the last few years because their concerns, like the concerns expressed by Dr Sykes, have not been addressed. We have seen primary industry itself being used as a political football and shunted around from one department to another. We have seen the departmental heads change on a regular basis and, as a result of that, key and basic functions of the department have suffered. Again, Dr Sykes mentions these: payment of pastoralists is slow and or incorrect, there is poor data entry and general information systems management and there is a less than ideal basis for decision-making.

I do not blame public servants. They need a suitable and favourable environment in which to work. It is quite clear that, as a result of the changes in the department and the inadequate and incompetent performance of the minister, they do not have that favourable environment. People can only do their best when they are given the opportunity. Perhaps we should call the minister the million-dollar man. He spends \$1m of taxpayers' money and it does not matter whether he obtains any results. He spends the money, but he does not bother putting in place any assessment procedures. He does not bother to put in place a proper audit procedure to ensure that he is getting his money's worth or achieving his objective. He simply spends it! That is what the honourable minister has been doing. Then, to cap it all off, he is proud of it! That is what I cannot understand. He has spent \$1m for no result and yet he rises in this House and practically pats himself on the back: 'Haven't I been doing a good job'. What absolute nonsense the minister opposite has been engaged in today.

Let us have a quick look at the third category - the effective and efficient eradication procedures. Numerous stories have been raised, initially in the media, about the failure to provide for the maximum commercial utilisation of stock and, in fact, going for the maximum shooting-to-waste policy instead of the reverse. That is documented. We have not had to research that. The media has documented it again and again ...

Mr Reed: We can always believe the media.

Mr SMITH: It is pretty hard not to believe the media when you see graphic footage shot from helicopters. Whilst one sees images of stock being shot to waste and left to rot, the buffalo hunters are saying that they could have used that stock commercially. It would be pretty difficult for the media to lie in that circumstance even if it wanted to. Of course, that is again the reason why the Buffalo Industry Council desperately wants Senator Richardson to make a favourable decision and a more informed and intelligent decision about the disposal of buffalo at Gimbat.

Under the administration of the Minister for Primary Industry and Fisheries, the BTEC program has not worked. It is about time that he went out to look at what is happening and started to address some of the problems. It is about time this minister started being accountable for the cents he spends in his department to ensure that it obtains value for money. That might be a

good first step so that, next time, he can rise in the House to say he has spent \$1m and has achieved this, that and the other, instead of spending \$1m and achieving nothing.

Mr McCARTHY (Labour, Administrative Service and Local Government):
Mr Speaker, what a load of buffalo dung!

Mr Smith: It was a million dollar load.

Mr McCARTHY: Mr Speaker, those of us who move around the Northern Territory and speak to members of the cattle and buffalo industry have all heard the stories that members opposite like to talk about in this House. In October, the same 2 members raised issues that were years old. In the early days of the BTEC program, we all heard about the ears in the bag and the transfer of cattle between Queensland and the Northern Territory. We have all heard those stories because they were bar-room talk around the Territory. That is where the member for Stuart heard his stories and where he spends most of his time.

Mr Smith: He does not drink.

Mr Ede: Give us a break.

Mr McCARTHY: It is the truth.

Mr Speaker, the areas referred to today - the Marrakai and Mary River Flora and Fauna Reserves - are areas that have been notorious over the last few years as difficult places to clear out. There are other parts of the Territory that present similar problems. They flood regularly and buffalo move in on a regular basis. It has always been a problem.

What concerns me is that the member for Stuart tried to make a point about the fencing of those reserves. He tried to suggest that the government has not done its job in terms of fencing them. I know that that story could not have come from the Groves because they know that the Department of Lands and Housing provided the materials to fence those areas of the reserve. In fact, the department supplied \$24 000-worth of electric fencing for Marrakai whilst \$26 000-worth of stainless steel barbed wire and \$4000-worth of conventional fencing material were provided for Woolner. 2.5 km of that fence had been erected at the time the member for Stuart saw it. In fact, the material had been provided and the onus was on the owner of the land next door to erect the fencing. The materials have been provided.

Another thing that we need to consider is that there are reasons for clearing land of buffalo apart from those which apply under the BTEC program. One of those reasons is conservation. The Conservation Commission had responsibility for clearing those areas, not the Department of Primary Industry and Fisheries. They are conservation areas and were cleared by the Conservation Commission. If we compare the way the Northern Territory government clears such areas, either through the Department of Primary Industry and Fisheries or the Conservation Commission, with the way the ANPWS does it, I think that the conclusion can be drawn that we do it better by far.

The member for Stuart tried to tell us earlier that the best way to clear land of cattle and buffalo is to put the onus on the clearing contractor to pay a penalty for anything he leaves behind. Nobody would enter into a contract under such conditions. When the ANPWS called contracts to clear areas for which it has responsibility, it placed on the contractor the onus of

paying a very substantial penalty for every animal left behind. It was very difficult to obtain a contractor because there can be no guarantee that all animals will be cleared. In some places, thousands may be left. Another problem was that the ANPWS could not guarantee that it would be able to get in to the area to undertake an inspection, as it had undertaken to do within 6 weeks of the completion of the contract. In 6 weeks, many animals can move in to an area but the onus was on the contractor to pay a penalty for any animals found.

Mr Speaker, by far the majority of station owners are performing under BTEC and accept the program wholeheartedly. Those people who find it difficult to perform for whatever reason - because they are inexperienced or for financial reasons - are opposed to it. I know that it is difficult for many of these people to clear their areas. In some areas, attempts have been made for 8 years to eradicate buffalo yet there has been no diminution in numbers because it is impossible to get at them. In some paperbark swamps, there is no way other than to go in and shoot out. If there is no fence, buffalo will come back in. You may have to shoot again. However, you do not have to shoot them in the area they are coming from because they move automatically to the wet areas in the season.

There is no doubt that it will be difficult to finally eradicate all buffalo from some of those areas. Fencing is not the only answer because, in some of those areas, the fences are knocked over by buffalo or washed away every year. There is no fence available that would beat buffalo at every turn. You could not put electric fencing through water. Most of the fencing would be washed away.

Mr Speaker, the honourable member referred to the matter of the management of the BTEC program. The management of the BTEC program in the Northern Territory is recognised as being the best in the country. I do not think that anybody would dispute that the northern areas of Australia are the most difficult areas to manage under BTEC but, in fact, they are being managed extremely effectively. The states are of the opinion that the procedures used here could and should be used elsewhere. It is quite easy for somebody who listens to bar-room talk to come in here and say that the program is managed better elsewhere. In fact, that is not the case.

Turning to the matter of staffing, for some reason these people come in here and indicate that the reason professional people are leaving the Northern Territory's BTEC program is because the program is not being run effectively. Actually, it is the only area left under the BTEC program where there is a real challenge to get out there and get the job done. Nobody likes the shoot-outs. Nobody wants to see them happen if it can be avoided but, unfortunately, it is almost unavoidable in many areas.

The problem of obtaining professional staff is not unique to the Northern Territory. It is difficult in the Northern Territory because this is a remote area, but it is not unique to the Northern Territory. Every state service is suffering the same experience at present: high turnover of professional staff because there is head-hunting occurring from state to state. It is happening around us. Every state representative talks about it at conferences that one attends. I know that some of our people are offered more attractive positions elsewhere and they go. We draw people to the Northern Territory by offering something that is attractive, either the challenge of the job or the money or both. It is not a problem that is unique to the Northern Territory. It is one that we have to live with, unfortunately, and we will probably have to continue to live with it until the BTEC program is completed. We cannot stop

in mid-stride. We have a job to do. We have to clear brucellosis and tuberculosis out of the Northern Territory, and I believe that the department is doing that extremely effectively.

The Minister for Primary Industry and Fisheries is a member of the BTEC Committee. He is fully aware of the problems that the buffalo industry faces and the concerns it has. At present, he is awaiting the submission from that committee. Perhaps honourable members opposite have been slipped a copy by some of the people with whom they have been dealing recently, perhaps through the back door of the bar, but that submission has not yet come to the minister. When it does come to the minister, he will certainly address it, and attempts will be made to overcome some of the problems that are being faced in the buffalo industry at present.

It is the same old story. This is not the first time, the second time or even the third time the campaign has been raised in this Assembly. It is merely that a different light is put on it each time it is raised. It is raised and beaten around. We hear stories that are years old. I heard the same stories years ago, and people in every state have heard them. The same stories can be heard elsewhere in Australia but members opposite raise them in here to waste the time of the Assembly and cause concern among the public servants who are doing a remarkably good job on this program. There are some shortages in a couple of areas, but they are not great and they do not affect all places. The program is unaffected.

The program is continuing on the path that has been set. It is continuing at the pace that was set and it is effectively cleaning up the problem. Members opposite hear these stories in the bar-room. They waste the time of the Assembly by making an issue of them, causing concern in industry and in the public service. It is outrageous. I think they should be condemned and we should all firmly oppose this MPI.

LOCAL COURT (CONSEQUENTIAL AMENDMENTS) BILL
(Serial 175)

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 make amendments that are consequential on the Local Court Bill. These amendments generally involve no matters of policy. They simply make consistent all the references to the Local Court or the magistrates in the various acts, or repeal legislation that refers to matters relating to court procedure or jurisdiction. These will now be covered by the new legislation and rules to be made under it. I refer honourable members to matters of a housekeeping nature.

Firstly, 4 acts - the Dog Act, the Firearms Act, the Hawkers Act and the Plant Diseases Control Act - enable appeals from refusals of licences to go to the Court of Summary Jurisdiction instead of the Local Court. These have now been amended to refer to the Local Court because they are matters of civil jurisdiction, not criminal jurisdiction. Also, in the case of a further appeal, the appeal procedure for the Local Court to the Supreme Court is appropriate for these civil appeals.

Secondly, the Wages Attachment Act creates a right to attach wages to satisfy a debt. This act will be repealed as the procedure for this will be contained in the new Local Court Rules.

Thirdly, the Cyclone Disaster (Moratorium) Act enables the Local Court to alter mortgages as a result of the effects of Cyclone Tracy. All operative provisions expired on 26 June 1975 and it is considered that the auxiliary provisions are now obsolete because the Limitation Act prevents a claim for any breaches prior to June 1975. The act is accordingly repealed. Similarly, the Cyclone Disaster Emergency Ordinance authorised and validated certain actions taken in the wake of Cyclone Tracy. The time limits for making any claim in respect of these actions have likewise expired.

Finally, section 11(2) of the Warehousemen's Liens Act requires a warehouseman to give notice to the Local Court of a sale. A penalty for not doing so is \$20. That was set in 1969. Fees and related penalties are now out of date and will be increased. I commend the bill to honourable members.

Debate adjourned.

EDUCATION AMENDMENT BILL
(Serial 161)

Continued from 29 November 1988.

Mr EDE (Stuart): Mr Speaker, the opposition rejects this legislation as being absolutely and totally inappropriate for any of the institutions which it is designed to cover.

Mr Harris: A good start, a great start.

Mr EDE: Mr Speaker, in response to that interjection, it is with regret that we do this. As the honourable minister knows, in the development of the merger involved in the creation of the university, we were able to find enough common ground to debate the details and jointly to arrive at legislation that was acceptable to both sides even though it did not satisfy all of the opposition's concerns. Indeed, certain concerns have since developed which we believe would not have developed if all the amendments proposed by the opposition had been accepted. Nevertheless, in that instance, we had enough common ground to be able to negotiate amendments. However, there are times - and, from my recollection of bills in respect of which I have had shadow responsibilities, these are very rare - when the opposition finds it impossible to accept the concepts involved in proposed legislation. This is one such occasion.

This is an omnibus piece of legislation which attempts to set up school councils to operate the Alice Springs College of TAFE, the Katherine Rural College, the Open College and Batchelor College. The 4 institutions are totally different in nature, purpose and type, and it is most inappropriate that they be brought under a single piece of legislation which attempts to satisfy the requirements of each.

We have previously stated that we believe the Alice Springs College of TAFE should have been incorporated into the Northern Territory University as a remote campus, being able to develop both TAFE and advanced tertiary education courses for the people of central Australia. We were most disappointed that the honourable minister did not take up that option initially, but we are still hopeful that we will be able to convince him to change his attitude. Certainly, and the honourable minister would be the first to agree, there is solid support from people in central Australia for our view in respect of that institution. In fact, the other day, I heard that people very high up in the Isolated Children's Parents' Association are coming to that view and, very

definitely, a number of people who are very high up in the CLP in Alice Springs are now becoming extremely nervous about the support which they originally gave to the minister. The minister said that it was simply a matter of money. He knows, however, that he never attempted to address the Alice Springs situation in his negotiations with the federal minister. It is ridiculous for him to say now that it was simply a matter of money when he did not even make that attempt.

The NT Open College, as honourable members would know, is a very complex organism which has people scattered all over the Northern Territory. To attempt to run it in the same way as the Katherine Rural College, which is a discrete unit with a relatively small number of students, and to say that the 2 institutions are similar enough to operate under a single piece of legislation, is quite ridiculous. To include Batchelor College under that legislation as well is like tying its legs together. I thought that both sides of the House had agreed that Batchelor College should develop as an institute of Aboriginal tertiary education. What this legislation does, however, is tie it very tightly into the TAFE end of the spectrum.

The minister's approach to this has been most disappointing and we are not prepared simply to fall in behind him. I advise that, when we take over in government, we will undertake the extremely difficult process of sorting out this mess. Of course, once corporate entities are established, it is not easy to abolish them because they acquire assets and liabilities, enter into contracts and so forth. It is not easy to unravel such things and I wish that the honourable minister had thought a bit more before he adopted this course of action, the results of which will be extremely difficult to sort out when the ALP gets into government.

I would like the minister to tell me who actually wants this legislation apart from himself and a couple of his senior officers who might see it as an opportunity to exercise some power. Perhaps his officers see it as some sort of waste paper basket into which they can put all the odds and sods which are left over from elsewhere. It is most disappointing. I can inform the minister that many people do not want his proposal. For a start, I refer him to the report of the consultative team which sought Aboriginal opinion on the future of Batchelor College. Section 25 of that report refers to the belief of most of those involved in the consultation that Batchelor College should be 'established as a freestanding institute under a predominantly Aboriginal council established by an act of the Northern Territory Legislative Assembly'. Section 26 refers to a desire that 'legislation be modelled on the legislation establishing colleges of advanced education or institutes of tertiary education elsewhere so as to allow as much control, through the council, to Aboriginal people as possible, while ensuring maintenance of high standards of administration and academic achievement'. The report refers to the structure of the college council and the way in which that council will interact with non-Aboriginal experts.

Unfortunately, the minister's model is nothing like that envisaged in the report of the consultative group. Sadly, Batchelor College is to be tacked on to TAFEAC, the TAFE Advisory Council. If honourable members read through the legislation, they will see constant references to the minister 'acting on the advice of TAFEAC' or 'having sought advice from TAFEAC' and so on. That indicates that the minister sees Batchelor College as being tied in to TAFE. While the rest of us attempt to explain to federal ministers and everybody else that the future of Batchelor College should lie with Aboriginal advanced education, the minister is tying it into the TAFE end of the spectrum. It will be locked into TAFE in terms of how it develops in respect of a wide

range of functions. That is not what higher education institutions are about. No higher education institution in the Northern Territory ought to be tied into a TAFE board.

The minister's action in linking Batchelor College to TAFE jeopardises the very real gains we have made in persuading the federal government to see the college as a tertiary institution. We have fought that battle on both sides of the House and we have had some substantial victories recently, with the federal government finally beginning to recognise its responsibilities to fund Batchelor College as a tertiary institution. By linking Batchelor College to the Alice Springs College of TAFE, the Katherine Rural College and the NT Open College and making it responsible to TAFEAC, the minister is categorising it as a TAFE institution. How will we react when the federal minister says: 'You have categorised it as a TAFE institution. Fund it as a TAFE institution'.

Mr Collins: The federal government put the university into TAFE. That is a TAFE institution.

Mr EDE: No. Look at the legislation. It was divided deliberately into 2 sections in order to deal with that problem. That has not occurred in this case. Batchelor College is lumped in with TAFE institutions with no distinction whatsoever and I fear that an enormous amount of work will be required to maintain funding levels and to ensure that the college goes ahead.

The concept of ministerial control is obviously at work here although no one has said that, as an institute of tertiary education, the college should not be subject to a form of ministerial control as generally applies in the case of colleges of advanced education and institutes of tertiary education. However, the placement of Batchelor College under TAFEAC - with the advice to come via TAFEAC before it reaches the minister - will remove it from the broad sector of advanced education and back into TAFE. As honourable members know, that means a difference of many thousands of dollars of federal money per student every year.

I have a letter from the secretary of the Council of the Alice Springs Council of TAFE. The secretary states that, on the direction of Dr Lim, correspondence detailing various points was to be passed on to me. I already had the material but I will enumerate some of the points which were raised so that the honourable minister will understand the nature of people's concerns. I am quite happy to table any of the letters which I have received.

Mr Chinner, who is a member of the Council of TAFE, wrote to the chairman stating the major problem with this legislation in a very clear and succinct way. He states, inter alia, that 'the form of the legislation and its detail are almost identical with the outdated and now irrelevant legislation which used to govern the activities of statutory authorities around the time of self-government'. Further, he said: 'Even if the legislation is introduced, I do not believe it would remain operative for very long'. I can assure him that it will not last long after the next election. It is, however, a problem in the meantime. He continued: 'To put it quite simply, the legislation would create a number of independent colleges which would be forced to compete with each other in the most destructive and uncoordinated way for funds and for staff'.

The letter continued:

In my view, it is totally unrealistic to expect colleges to act independently and autonomously in the Northern Territory where resources and expertise are in such limited supply. Apart from anything else, I believe it is unrealistic to assume that the minister or the department will ever permit any greater degree of autonomy at present, particularly if it leads to endless infighting and competition for already scarce resources and staff.

The proposed staffing conditions, sections 51 and 52, are ridiculous and will lead immediately to a costly requirement for additional administrative staff. Where it is now being done by skilled personnel staff in the Department of Education, it would be carried out by individual colleges. There would be diverse and possibly inequitable conditions of service and endless haggling with unions.

In addition, an aspect of very considerable concern is the total lack of broader career opportunities for both teaching and administrative staff which would arise from having them incorporated into these bodies.

Mr Chinner says that proposed section 53 may lead to colleges having to employ professional accounting staff and arrange their own audits. He says that proposed section 56(3), which relates to the cost of paying members of councils, is unrealistic in the context of the much greater demands likely to be made on council members if the legislation were to lead to the suggested autonomy. He complains about the power to make by-laws and makes a very valid point when he says that the cost of having those by-laws made by councils should not be underestimated. His experience is that such subordinate legislation is 'time-consuming, lengthy and a great source of financial comfort for those employed in the legal profession'.

I have a letter from Bert Pollard complaining about the composition of the council. He states that 1 member of the teaching staff at the college is to be elected by the staff under this legislation whereas previous legislation allowed for 1 member of teaching staff and 1 member of public service staff on the council. He makes points regarding other staff and the payments.

Members of the Alice Springs Branch of the NTTF have stated in correspondence that they believe that the effect of proposed section 52 is that existing staff members will have no guarantee of maintaining present positions. We debated similar provisions in the university legislation at great length in order to ensure that existing terms and conditions would continue. That is not the case with this legislation. There are no comparable provisions to give comfort to the people who are being compulsorily transferred.

Members of the Alice Springs Branch of the NTTF also state that teaching staff members affected by this legislation may not have access to the NT Teaching Service. I believe that, initially, the problem is probably covered by sections 15 and 16 of the Teaching Service Act. However, as honourable members who have studied the legislation will know, that is not the case in the longer term. People may be added to the list and, if they do not become attached elsewhere, may end up losing their jobs.

The Alice Springs members of the NTTF state that conditions of service are completely unknown and, to date, no negotiations have taken place. Conditions have been addressed in other legislation but have not been sorted out here. They say that career opportunities will be severely limited if teachers and

Lecturers are no longer employed by the teaching service. That is certainly true. In such small institutions as the Katherine Rural College, there is no way that a person would have lines of career opportunities. They need to be part of a broader service which has time to train them, to provide them with adequate study leave and to provide them with the career paths that they need if they are to make a career base in the Northern Territory. If we continue with the idea of breaking up the colleges into small, discrete units whereby people are employed solely within those bodies, we will be linked forever into the situation of employing staff from down south. People will stay for a few years and use the Northern Territory as a stepping stone to find themselves positions elsewhere. That is a major concern.

I know that there is talk about legislation to enable people to preserve their furlough and superannuation entitlements etc as they move from institution to institution. However, if a person has been under contract to KRC, for example, and wishes to return to the NTTS, that person will be at a disadvantage no matter what the rules say, simply by virtue of having to apply from outside. It is always a fact that people applying from inside have preference over those applying from outside. That will be the situation. People from the general teaching area may transfer to ASCOT for a few years and then decide to return to general teaching. Such people will now be thrown into what for them could be a complete backwater. They may reach a limit within that college and see all their career paths blocked. They will find it difficult to return to the NTTS because they will be applying externally.

In relation to proposed section 44, people see real problems with councils moving into the employment of all staff members and with the status of teaching service members who are on leave without pay from NTTS but employed by college councils. They conclude by stating that the bill should be withdrawn to allow full consultation with the staff involved. The same group wrote to the honourable minister. He cannot say that he has not heard about this. He knows their views and he has simply decided to ignore them. For the benefit of honourable members, I will run briefly through the points that were made to the minister.

He was told that consultation with ASCOT's NTTS staff had been minimal, that ASCOT's staff proposals had been ignored and that the TAFE NTTS staff will be professionally disadvantaged by: (a) the proposed contract system; (b) no guarantees that they are maintaining present NTTS positions; (c) the threat of separation from NTTS; (d) completely unknown and unspecified conditions of service; and (e) the effective destruction of the present career structure. They stated that no agreements had been reached with the NTTS on the ramifications of the legislation or the legislation itself. Finally, and most importantly, they strongly believe that the proposed change will adversely affect the ability of ASCOT to meet the TAFE needs of the community it seeks to serve. Isn't that the bottom line? There is nothing in this legislation which says anything about improving the quality of the service being provided to people in the Northern Territory. Everyone to whom I have spoken has rejected it.

The Adult Migrant Education Centre Branch of the NTTS moved a number of resolutions that are very pertinent. It wrote to the honourable minister indicating that it had grave concerns about the legislation and stating that the circular dated 3 February from the Secretary of the Department of Education, Mr Spring, does not allay its concerns, address the major issues or clarify the position with regard to terms of employment, working conditions and career path opportunities. It pointed out the circular from the secretary was his first official communication on the matter, despite repeated requests

for information from him. The branch also requested that the bill be withdrawn and that consultation between all parties be conducted. A couple of the resolutions were passed unanimously:

that the AMEC branch of the NTTS wishes to point out to all concerned that this attempt at fragmenting the NT TAFE sector is diametrically opposed to the current federal policy of rationalisation of higher education provision;

calls on the full-time officers to inform the federal minister of this;

further, this branch believes the proposed establishment of NTOC as an independent TAFE college will not enhance performance and or output of AMEC, a sub-unit, and will not give access to additional resources etc because of a lack of commonality of purpose within the college and because of the wide-spaced geographical distribution of its client's resources etc; and

that the AMEC Branch members of NTTS wish to retain their present status as officers, members, employees etc of the NTTS and all the conditions of service related to that employment.

To make it quite clear, the AMEC Branch of the NTTS demands that the Education Amendment Bill - that is, the proposed TAFE colleges legislation - 'be withdrawn until full consultation with effective staff and employees has taken place and conditions of service are fully clarified'. Again, that was passed unanimously. It was pointed out to me that that was the largest NTTS gathering that AMEC has had for several years, with many lapsed and non-members taking out membership because they believe that this bill fails to protect their employment conditions and the proposers have failed to consult with the people concerned. They reject this legislation.

Mr Speaker, what more do I need to say? I have not yet found anybody who supports this bill or who believes that it will achieve its purpose. Certainly, I have not had a response from the Katherine Rural College. If the whole point of the legislation is that it suits the KRC's requirements and that the NT Open College, Batchelor College and ASCOT should simply follow on behind, that would be a case of the tail wagging the dog. In the committee stage, we intend to debate a number of provisions which create real concern for us. I would hope that the honourable minister will provide some answers and will be able to explain the reasoning behind such provisions.

Some major problems have been raised with me and I will give some indication of the areas to which they relate. Concern has been expressed about matters which could have been addressed in this legislation but have been ignored. One is the need to organise a form of accreditation for Batchelor College, to have it established as a college of advanced education under appropriate Aboriginal tertiary institution legislation and to find a means of working through this imbroglio. As honourable members will know, methods of organising national accreditation existed previously. The traditional approach to that, however, is much more difficult now that the university is in place. We need to find another means of getting on the national register.

Mr Harris: What clause are you referring to there?

Mr EDE: I am referring to the need to ensure that courses developed at colleges can achieve national accreditation.

As I have stated, the legislation is neither chalk nor cheese. It does not go far enough for Batchelor College, yet is totally inappropriate for the TAFE institutions. The legislation will have the effect of removing access to the teaching service for staff in the TAFE institutions. Career paths will not be available outside those small institutions themselves. The people working in them will be able to move only within those small institutions and this will stifle them. As I said, the so-called mobility legislation, which is in the wind, will not be of any assistance in relation to promotion and transfer decisions. All it will do is lessen the financial hardship that will be imposed on people when they do move. TAFE itself will suffer because teachers from other centres will not be prepared to come to the Northern Territory unless there are clearly-defined career avenues.

I have talked about the turmoil that the legislation has created, but let us have another look at Batchelor College. The concept that I spoke of earlier, the Batchelor Institute of Aboriginal Tertiary Education, is excellent but it will not be allowed to develop under this legislation. I have heard the argument that this is simply a first step for Batchelor College from which it will progress. I know full well what the argument will be as soon as Batchelor College tries to take that next step. The argument will be that the college is governed by legislation covering a group of institutions. It will be told that, although a given proposal may be appropriate for it, such a proposal is inappropriate for ASCOT, KRC or the NT Open College. That argument will be used constantly as a reason why Batchelor College cannot advance.

There may be some validity to the argument as long as the college is tied into this legislation. It should have its own legislation and, indeed, I thought people on both sides of the House were in agreement on that. I am starting to worry whether there is a move by people in the Department of Education - and I know the honourable minister is not involved but he needs to watch out - who are trying to put a leg rope on Batchelor College to prevent it from advancing in the way that we all would wish. That is a straightforward bureaucratic tactic. Linking it into legislation like this will result in all sorts of negative arguments being made whenever there is a move to allow Batchelor College to progress. This is lowest common denominator legislation which certainly will not allow Batchelor College to grow.

As I said earlier, the legislation constantly refers to the minister relying on the advice of TAFEAC. In fact, it will create a TAFEAC bottleneck. In higher education institutions, councils make decisions and are responsible to the minister. But, who will be the employer at Batchelor College? Will the employer be the college council or the Teaching Service Commission? How will conditions of service be affected and how will promotion and transfer decisions be made? In the Batchelor Institute of Aboriginal Tertiary Education proposal, that problem was clearly recognised. The proposal stated that the unions would ask the Conciliation and Arbitration Commission to identify the employer if the legislation failed to clearly identify it. This legislation will create an incredible amount of work for the Conciliation and Arbitration Commission as all the jockeying goes on in an endeavour to lock in various levels and positions. The problem, however, is that people do not have the comfort of a bottom line.

I have a letter from UACA, and I believe that the minister has at least spoken to its representative. He stands condemned for his response to the other unions. When they came to me, I listened to them. I agreed that they had a problem and urged them to speak to the minister. I pointed out that I had a philosophical difference with him but that they should hold discussions with him in an effort to have some of their concerns allayed. I stressed that we do not want the staff of those institutions to experience any detrimental effects and, as a result, perhaps leave the Territory. What happened when they contacted the minister? He would not speak to them. From Wednesday last week, they made attempts to talk to him. I think that the minister said he would talk to Michael Bradley, President of the Northern Territory Teachers Federation, as long as he did not bring Col Young along. It is rather ridiculous that the honourable minister is so terrified of Col Young that he will not even speak to any of the other unions involved, including the Miscellaneous Workers Union, ACOA etc.

However, the minister did have an early discussion with UACA. I have also had discussions with UACA which, like the NTTF and every other union involved, believes in the further development of Batchelor College to become an Institute of Aboriginal Tertiary Education. All of the unions believe that that is the way to go. They are also unanimous in their rejection of this proposal which will tie up Batchelor College and inhibit its development.

Mr Speaker, I turn now to some of the points made in the letter from UACA. It says: 'The very purpose of the bill is questionable. Why is the government pushing it? It seems that NTOC and ASCOT do not want it'. I have clarified that. The letter continues: 'They are happy with their current structure and relationship with the Education Department. It would appear likely that a similar attitude exists at KRC. Batchelor College is the only college which wants this legislation, but will find the bill inadequate'. Obviously, UACA did not have the information which I have from Batchelor College - information which indicates quite clearly that the legislation is inappropriate. Still referring to Batchelor College, the letter continues:

This bill will not fulfil its needs and aspirations for development into a college of advanced education, to take its place in the National Unified System (as outlined in Dawkins' White Paper). The BIATE proposal is the basis for such development.

The following comments apply particularly to Batchelor College. It should be noted, however, that some comments are also applicable to ASCOT as it already has some higher education awards.

This union fully supports the development of Batchelor College into a recognised higher education institution for Aboriginal people. This union believes that, if higher education awards are being offered by Batchelor College, then higher education conditions and ethos must prevail. And already, Batchelor College has about three-quarters of its program devoted to courses at associate diploma level or above. Legislation such as Darwin Institute of Technology operated under would be more appropriate for the evolution of Batchelor College into BIATE.

Mr Speaker, that is what we are saying. Batchelor College requires appropriate legislation so that it can start developing into a college which can take its place under the National Unified System rather than being leg-roped into a completely inappropriate TAFE sector. The letter goes on: 'The staff teaching in the higher education sector should have higher

education conditions at Batchelor College. It is inappropriate that they continue to teach under TAFE conditions ...'. Of course, this legislation, will lock them into a TAFE-type organisation. Obviously, the unions have asked also about representation on the boards. It is very difficult to write such representation into legislation like this. How can one formulate a single model which suits 4 organisations as disparate as those covered by this legislation?

I believe that, for some reason, the minister has got himself locked into this proposal which nobody wants. It has been through more than 10 drafts and has been shuffled around since 1985. A small group has been working on it and moving it backwards and forwards without seeking input from the staff of the institutions involved. The process became a power play involving a small number of people within the department, as they jockeyed to see who would be able to hold on to the power in relation to the colleges. That is not a very good basis on which to develop important educational institutions.

I believe that the only explanation for this legislation is that so much work has gone into it that the minister does not feel able to abandon it. Sometimes, when a proposal reaches its tenth or twelfth draft and people still cannot agree, it is best to throw it out and start again from basics. That is what should have been done in this case. The problem is not one of flawed drafting or problems with the details. The whole concept is flawed. It is because the concept of bringing the 4 institutions under a single piece of legislation is flawed that this opposition is rejecting the bill in its entirety.

Mr SETTER (Jingili): Mr Speaker, after listening to the carping of the member for Stuart for the last 45 minutes, I am reminded of 'Brideshead Revisited'. Perhaps one could say, 'education revisited'.

Mr Ede: It could do with a bit of revisiting.

Mr SETTER: The member for Stuart has done nothing more than pull the same old speech out of his bottom drawer. He said exactly the same sort of things about the establishment of the university, 'Towards the 90s', devolution, the senior secondary colleges issue that was around some 3 years ago and the establishment of school councils in primary schools and secondary schools. The basic arguments are the same. All he has done is change the dates, the places and the names. He has regurgitated exactly the same arguments over and over again. Of course, it is all nonsense. It is the same sort of misinformation and innuendo aimed at creating concern in the community. We have heard it all before and we have heard it again today, but I am quite sure that honourable members and the community at large will treat his contribution with the suspicion that it rightly deserves.

The reality is that this bill represents another step in the government's policy of devolving responsibility and authority within the education system to the community. When I say 'to the community', I refer to school councils, college councils in this case, and other similar bodies which I see as being closer to the chalkface and closer to the ground in their respective institutes of learning. In this instance, we are establishing semi-autonomous bodies which will administer, within the limits of the legislation, their own affairs. In the speech he gave on 29 November, the honourable minister referred to what is happening here as being similar to the incorporation of school councils which occurred in 1982. I have read the minister's speech, the bill and some other briefing notes and I can see the similarities. There is a considerable likeness between what happened then and what is happening today.

The member for Stuart was correct in one thing. He indicated that this legislation refers to 4 particular institutions: the Alice Springs College of TAFE, the Katherine Rural College, the NT Open College of TAFE and, of course, Batchelor College. He dwelt for some time on Batchelor College, and I will come back to that later. However, the legislation allows for other colleges to be brought under this umbrella as time goes by, as they develop and as the situation warrants it. The publication of a notice in the NT Government Gazette can bring a college or colleges under the umbrella of this legislation.

An interesting aspect is that these colleges will now play a much greater role in developing their own destinies. They will have much greater responsibility and, of course, authority. Indeed, it is an old adage that you cannot devolve responsibility to any person or organisation without conferring the corresponding authority. They will have all sorts of responsibilities. They will be able to keep the training and employment needs of Territorians under review. That will be a very appropriate role because they will address different aspects of education within the total Territory spectrum and they will be able to assess what the needs are. From time to time, I am quite sure that individuals and organisations will approach a college to develop courses to equip people for employment in specific industries. For example, industries coming into the Trade Development Zone may require some of their staff to be educated in a particular facet of their business. When those needs are identified, our various colleges will be able to develop courses to address such needs.

From reading the legislation, I understand that the colleges will be able to employ their principals and, within the limits of the legislation, decide the terms and conditions of employment for those principals. They will not be locked into the NTPS or NTTS working conditions. The college councils will be comprised of 17 persons, 10 of whom will be drawn from the local community and, of course, the remainder will be drawn from the teaching staff. Naturally, the students will be represented as well. It is very important that the council consist of people who are involved directly with the college, and that they be representative of the whole community, which comprises staff, students and the community at large. Batchelor College presents a classic case in point. That college is located in a particular community, which is reasonably isolated, and I am sure that the people who live in Batchelor would want to have some input into the future of that college.

This legislation is the result of approximately 2 years of consultation, and that included consultation with the college councils involved. For the member for Stuart to say that it is another example of the government thrusting legislation through, without talking to anybody and with complete disregard for the concerns of the staff or other people involved, is absolute nonsense. As I said, this legislation is designed to provide these institutions with a much greater degree of autonomy. They will now be able to deal with such matters as a property and land and, as the minister indicated, they will be able to accept grants and bequests. That will provide an important opportunity for any college because it will mean that it will no longer be locked totally into Northern Territory government funding. A college will be able to make its own decisions, within the limits of the legislation, regarding its own property, the land which it controls and a number of other matters.

The TAFE Advisory Council is a body which is responsible for all matters relating to TAFE in the Northern Territory. It is the body which has been talking to the college councils and negotiating this arrangement. However, on

a local level, it will be the college councils themselves which will have the responsibility. It is very important to understand that. The structure has 3 tiers: the college councils; the TAFE Advisory Council, which answers to the minister; and the government.

Another interesting aspect of the devolution of this responsibility is that the college councils will now be responsible for their own budgeting and for planning their programs. It is not mandatory but, if they so desire, the legislation will allow them to be responsible for some staff employment. It is very important to understand that it is not mandatory that they take on that responsibility but, if they want to, the opportunity is there. I am quite sure that they will seize that opportunity with both hands because most organisations wish to control their own destinies. My experience of school councils in this community indicates that they are very happy to accept as much authority as they possibly can. I suppose it would be true to say that I have struck some school councils which, whilst wanting the authority, have some difficulty in accepting the responsibility. Nevertheless, I am pleased to relate that there are not many of those. I am sure that, after 2 years of consultation, with these colleges being fully aware of what is involved in this legislation, they will accept that authority and responsibility with both hands.

One interesting fact about the devolution of responsibility or authority relating to the employment of staff is that the staff will not be engaged totally outside the award system. It is absolutely imperative, and I know that it is included in the bill and the minister gave us this assurance, that staff conditions be subject to an award which has been properly negotiated with the appropriate union. In his speech, the minister said that award negotiations on behalf of the staff at these various colleges will begin in 1989. It is important for several reasons that these negotiations occur. For example, some staff come under the current TAFE Teachers Salaries and Conditions Award of 1982. That is out of date and will be reviewed. Irrespective of this legislation, their salaries and conditions were to be negotiated at about this time. Of course, Batchelor College will now require an award for TAFE and higher education staff. These are matters that would have been addressed anyway.

I will come back now to the subject of Batchelor College on which the member for Stuart dwelt for quite some time. He was quite critical of the government's approach to Batchelor College. He told us that Batchelor College should develop through to tertiary level. However, I will draw your attention, Mr Speaker, to the honourable minister's second-reading speech which he delivered on 29 November 1988. In the last paragraph, he said:

Before concluding, I wish to note that Batchelor College is included as one of the designated colleges in this bill. I should point out that a comprehensive investigation into various options for the future development of Batchelor College is currently being undertaken by the department. The provisions of this bill do not preclude special provisions for that college being enacted at a later date if such a consideration is considered desirable.

Contrary to what the member for Stuart tried to tell us, the matter of Batchelor College and its future development is already under review and, at some future time, I am quite sure that the minister will advise this House of the government's policy with regard to the future directions of that college.

There is one other matter that I would like to raise. I refer to some concerns that have been expressed to me by the staff of one of these colleges. I know that the member for Stuart referred to concerns in respect of staff conditions that had been expressed to him by a number of people. I was approached by a person from one of these colleges who expressed a number of concerns which I have since taken up with the minister. The minister has responded to me. I will outline the concerns of this staff member who was representing other staff at a particular college. I will give the questions and the minister's response.

The first question was: 'For NTTS and NTPS staff, will permanent positions be available in the college for people who choose to resign from their current employer?' The answer is that about 80% of positions are expected to be permanent. Under the terms of the legislation, college councils will be able to exercise an option to employ staff on a permanent, part-time or casual basis. Councils may also contract staff or consultants and advisers. It is envisaged that broad contract arrangements will be negotiated with staff associations. College councils will then have a standard framework within which to negotiate the additional specific requirements of individual colleges.

Initially, staff do not need to do anything. They will remain on their existing conditions in their existing positions. If, at some later date, the college council chooses to establish an award for its own staff - for example, DIT had its own TAFE award - this award would be discussed with staff and unions, endorsed by the college council, ratified by the TAFE Advisory Council and approved by the minister prior to any industrial implementation process.

With regard to the proportion of permanent versus contract staff employed by colleges, the understanding reached with unions is that this ratio would be around 80:20 in favour of permanent staff. Colleges may continue to recruit permanent staff through the NTTS or NTPS. It is likely that councils will also recruit some permanent staff through other arrangements. At Batchelor College, higher education courses are offered and staff will need to be employed under higher education conditions of service. The simplest way to do this would be for councils to adopt existing national - that is, advanced education - awards.

Another question was: 'For those staff who opt for the LWOP option, what are the details and guarantees for ready access back into the NTTS or NTPS?' Should LWOP be granted, the normal NTPS and NTTS provisions will apply and these allow ready access back into those services. The PSCO is currently drawing up new mobility legislation which will facilitate ease of transfer throughout the public employment sector and ensure that employees maintain their conditions of employment through a specific legislative arrangement, thus avoiding the need for a LWOP arrangement.

Another question was: 'With regard to superannuation, what will the arrangements be for those people still paying into the Commonwealth superannuation scheme? Who will pay the employer contribution? Will this be the colleges or the Department of Education?' The response is that the NT budget will continue to meet the employer contribution to existing Commonwealth and NT schemes irrespective of which NT employer is involved.

Another question was: 'In the transfer arrangements, will staff move with their positions or will all positions be declared vacant and advertised?' The response is that the legislation proposes no initial transfer of staff or positions. If the college councils, through the due process, establish an

award, then the normal transfer procedure is for the staff involved to be offered appointment on the appropriate increment within the new salary scale, being an amount not less than that currently paid. New positions and vacancies will be advertised.

Another question was: 'What will be the position at July 1989 of staff on maternity leave, study leave and other types of leave?' Staff on maternity leave, study leave or other leave are guaranteed return to a position at the same level on completion of leave, not necessarily to the same position although this frequently happens. This is the current entitlement and there will be no change to this as at July 1989.

Another questions was: 'In regard to maternity leave, if staff are on contract to the colleges, will there be a maternity leave provision in the contract or will contracts cease and have to be renewed on the return from maternity leave? Who will pay for the maternity leave? Will there be a built-in budget for this at college level?' The response to that question is that existing provisions will apply unless staff accept an alternative award or contract. Maternity leave costs will be met through the budget. This is what happens now.

Another question was: 'If staff are on contract, what will be the provisions for long service leave? When will it be able to be taken? Who will pay for long service leave?' If staff are prepared to accept contract conditions, then long service leave provisions will be negotiated as a condition of employment. As a minimum, staff will have available statutory provisions established elsewhere in Commonwealth legislation. Payment for long service leave will need to be made by the college on the basis of its annual budget recognising the cumulative effect of such liabilities.

A further question was: 'In regard to study awards, study leave and teacher exchanges, will these be available to TAFE college staff? What arrangements will be made?' If staff are members of the NTTS or NTPS, the same study leave provisions as at present will apply except where there are specific exclusions such as exist in some Commonwealth grants. In such cases, college councils will need to consider whether special provisions apply. For staff employed directly by college councils or on an award or contract, it is usual for study leave provisions to be built into staff conditions of service. It is expected that college councils will respond to this need.

A further question was: 'For those staff on a study award in July 1989 or proceeding on an award for semester 2 in 1989, what will be the arrangements made with NTTS about staff returning to the NTTS following their study leave period?' The question has already been answered in the answer to the fifth question which I gave previously.

A further question related to the peer assessment issue. Staff were advised to undergo peer assessment as this needs to be current for those people wishing to move back into the NTTS. Staff who wish to keep their options of returning to primary or secondary school teaching will need to undergo peer assessment as is currently required in those sectors. There is no peer assessment required for TAFE provisions.

A further question was: 'Will there be any offers of redundancy if similar positions are not available under college structures?' The question of redundancy should not apply initially. If, in due course, an existing NTTS or NTPS staff member rejects an offer of employment to a new college award from an identified college council or does not receive an offer of

employment, then the staff member shall be regarded as being potentially excess to the requirements of the department but shall continue to perform duties at the college until such time as satisfactory redeployment within the department is able to be arranged. The department has a record of 100% success in arranging satisfactory placements.

A further question was: 'What guarantees for the equity of contracts are being offered to staff?' Contracts are drawn up to attract people to specific positions. If a contract is not attractive, suitable applicants will not be forthcoming. This would guarantee that conditions are not less attractive than NTTS or NTPS conditions.

I turn now to some comments and queries about legislative issues. The first comment under that heading was: 'Details of the parliamentary process and procedures for the TAFE college legislation need to be provided in writing to all staff'. I am advised that the response is that it has always been the intention that staff be kept fully informed. The details of the parliamentary process and procedures for the TAFE colleges legislation will be provided as requested.

A further comment was made: 'In the development and drawing up of by-laws, all staff need to be involved'. The response is that proposed section 60H provides for councils to make by-laws. There is provision in the legislation for staff to be represented on each council.

A couple of comments were then made on financial issues: 'The financial aspects for individual colleges are not clear, given that the Financial Administration and Audit Act will not be used'.

Mr LEO: Mr Speaker, I draw your attention to the state of the House.

Mr SPEAKER: A quorum is not present. Ring the bells.

Bells rung.

Mr SPEAKER: A quorum is now present.

Mr SETTER: Mr Speaker, the response to the comment on financial issues is that the legislation states that sections 17 and 27 of the Financial Administration and Audit Act shall apply and the secretary is appointed the accountable officer for financial purposes. It is thus the secretary's responsibility to ensure that each college accounts for its funds. Specific guidelines for colleges to follow are in the process of being drawn up.

Mr Speaker, there are several other comments, but I will leave those for the honourable minister to deal with.

Mr SMITH (Opposition Leader): Mr Speaker, the member for Jingili has done us a service in reading out those questions and answers and I sincerely thank him for it. Those are certainly the questions which many people who will be affected by this legislation have been asking. I doubt, however, that his constituent would have been completely satisfied with the answers, particularly the answers to the first 2 or 3 questions which reveal the severe concerns which staff have about their futures in particular institutions.

I understand that the ratio of 80% permanent to 20% contract employees is a recommendation from the federal minister, John Dawkins, in terms of how such situations might be resolved. Nothing in this legislation, however,

guarantees an 80% to 20% split and, in fact, the decision on the split is to be made by each individual council. The legislation clearly gives those councils the power to employ staff on any basis that they like, whether it be permanent, contract, part-time or casual. That will certainly be a matter of some concern to people who are considering working in those institutions.

An allied concern arises in response to the answer given by the member for Jingili to questions concerning career paths. Of course, the more contract employees in a particular institution, the fewer career path opportunities that institution can offer. Let us be frank, Mr Speaker. The tendency would be to employ people on contracts at the higher levels. There will not be too many contract appointments at the Band 1 level or its equivalent in a particular college. The tendency will be to employ people on contracts at levels such as principal, deputy principal and so on and that will limit the opportunities of staff at the lower levels to develop career paths.

Neither the member's answer nor the bill itself offers any indication as to what career paths might be available to people who might want temporarily to opt out of the teaching service to work in a college and return at a later stage or to people who might want to move temporarily from the public service to a college. There is nothing to indicate that service in a college will be counted as service in the teaching service in terms of superannuation or promotion. I realise, however, that length of service is only a minor criterion for promotion in the teaching service these days. The very real concern which professionals have about career paths has not been addressed either in the legislation or in the comments of the member for Jingili.

It is all very well to talk about mobility legislation which might come from the Office of the Public Service Commissioner at some time in the future, but that does not exist at present. Nothing in this bill would give anyone any confidence that, if he wanted to move out of the Northern Territory Teaching Service into a college, he could return to the service at a later date with his period in the college being taken into account in respect of his entitlements and career path. That is a pretty basic consideration for anybody considering a future career path.

I would have thought that, given that there has been so much consultation over the last 2 or 3 years, these matters would have been addressed with the appropriate industrial organisations. That does not appear to have occurred and perhaps the honourable minister might like to address that matter in his reply. I will put it in very simple terms for him. What happens to a person who wants to move from the teaching service into a college? Can he or she move back? Will his or her promotion and superannuation rights be preserved if that happens? Put even more simply, will his or her career prospects in the teaching service be advanced, hampered or unaffected if he or she wishes to make that leap, for a period, into a college position?

We need to be realistic. The opportunity to attract people from outside the Northern Territory into one of these colleges will be very limited if we cannot offer them more than simply service in that particular college. That is the second element of the problem. What opportunities will there be for movement between colleges? Will people be able to accumulate service by moving between colleges? Will they be able to accumulate service if they start in a college and then move to the teaching service? These are some of the basic industrial issues which do not appear to have been addressed and are at the root of the concern which all of the relevant industrial organisations have expressed about this legislation.

Mr Speaker, as my colleague the member for Stuart has said, the opposition opposes this legislation. Essentially, it opposes it because it is ...

Mr Harris: This is terrible.

Mr SMITH: Yes, it is terrible. That is why we are opposing it.

Mr Harris: It is terrible that you are opposing it. You have not followed the history of it.

Mr SMITH: I am telling you that it is a fairly limited history when you have not been able to resolve the basic industrial concerns of the professional organisations before bringing the legislation forward.

The essential reason for our opposition is that the legislation is a coverall which does not fit any particular element of the colleges covered. Over the last 3 or 4 years, we have developed a bipartisan approach to Batchelor College, leading towards its becoming a tertiary institution funded on a tertiary basis. This legislation, however, lumps it in with basic TAFE institutions. What is the rationale for that? Where is the credibility in undertaking that particular course of action? There is none - no rationale and no credibility. Of course, that was recognised by the minister himself near the end of his second-reading speech. I know that it was read out earlier, but it bears repeating:

I wish members to note that Batchelor College is included as one of the designated colleges in this bill. I should point out that a comprehensive investigation of the various options for the future development of Batchelor College is currently being undertaken by my department. The provisions of this bill do not preclude special provisions for that college being enacted at a later date if such a consideration is considered desirable.

Mr Harris: Terry, if you do not know what is starting to happen at Batchelor then you do not know what this is all about.

Mr SMITH: Mr Speaker, what a piecemeal approach to an important piece of legislation! The minister introduces the legislation. He does not have all the answers and, before it is in place, he says that it will not work and that we will have to make major significant changes later. That is the basic problem with the entire bill. It does not fit any particular institution yet 4 diverse institutions are expected to operate under it. That is why we are opposing the legislation. We would urge the government, even at this late stage, to take the bill off the Notice Paper.

Mr Coulter: You are wasting your breath.

Mr SMITH: Of course I am wasting my breath talking to you. That is what happens to most people who talk to you.

It is not only the opposition which opposes this legislation. It is opposed by ASCOT, the Adult Migrant Education Centre, the NT Teachers Federation, UACA and the NT Open College itself - all institutions which have a very vital interest in it. If all institutions that have a vital interest in this legislation are opposing it, there is a real problem. That is the reason why the opposition is opposing it.

I do not want to go over comments made by the member for Stuart. He has comprehensively addressed the main issues. How can the government proceed with this legislation and expect those who are subject to it to work enthusiastically under it when it does not have the enthusiastic support of the institutions involved and, secondly, when it has not sorted out the basic conditions of service of the people who will work under it? That is a recipe for disaster and it begs the question of what the government has been doing for the last 2 years. If it cannot get those 2 basic things right, what hope does it have of getting the rest of it right?

Mr McCARTHY (Labor, Administrative Services and Local Government): Mr Speaker, I would like to make a couple of points which need to be made. The member for Jingili worked through quite a few of the questions that have been asked. However, a few other matters have been raised which need to be put in perspective and clarified.

The legislation, as proposed, is certainly not mandatory. It is enabling legislation only. In fact, because of that, many of the fears that have been expressed by people do not have any real grounds. The member for Stuart said that there is no justification for having the 4 colleges under a single piece of legislation and then spoke for about 45 minutes giving us every good reason why they should be. The legislation will allow colleges which want to spread their wings to do so. There is no reason to believe that they will be pressured into taking up any of the provisions that this legislation will provide.

The college councils are drawn from the user communities. In the case of the Katherine Rural College, that would be largely the pastoral and farming industry. In the case of Batchelor College, very clearly it would be the Aboriginal community of the Northern Territory. The council relating to the Adult Migrant Education Centre would be drawn from the migrant community. There is no reason at all for these colleges, Batchelor College included, to be anything at this stage other than TAFE colleges. At the most, they are providing associate diploma and diploma courses. They are not going beyond that and there is no requirement at this stage for them to do so. I believe that the Aboriginal community does not want to do that in respect of Batchelor College. Certainly, there could be no justification at this stage in the other colleges affected by the legislation.

Perhaps those people who would like to bring white Aboriginals from the south to study at Batchelor College might see a need for the BIATE proposal to be up and running. I certainly do not support that. Batchelor College was founded for the Aboriginal people of the Northern Territory, in particular the traditional Aboriginal people of the Northern Territory, the people who need a halfway house to further education. Batchelor College provides exactly that and should continue to provide exactly that.

Mr Ede: Haven't you got any faith in the Aboriginal people of the Northern Territory?

Mr McCARTHY: I have absolute faith in them. I think I have demonstrated my faith in Aboriginal people. I have demonstrated my confidence in Aboriginal people, as a minister, as a member and as a person who has worked for Aboriginal people over many years. I have a great deal of confidence in the Aboriginal people and will continue to have it. I expect that, when we enact legislation in the Northern Territory, we are enacting it for Northern Territory Aboriginal people and are accounting for their needs at any given time. If you ask the questions in the right form in Aboriginal communities,

you will find that Aboriginal people are concerned about any moves beyond their needs in respect of Batchelor College. I would suspect that members opposite go into the Aboriginal communities, when they can get out of the bar ...

Mr SPEAKER: Order! The honourable minister shall not cast aspersions on other honourable members. I ask him to withdraw that remark.

Mr MCCARTHY: Mr Speaker, I withdraw.

I have made my point. If they put the questions sincerely and honestly to Aboriginal people, they will find that they are very concerned about any takeover of their education at Batchelor College.

Mr Ede: Have you read this?

Mr MCCARTHY: Yes, I have. In fact, I have a forward copy of it on my desk.

Mr SPEAKER: Order! Both members will direct their remarks through the Chair.

Mr MCCARTHY: Mr Speaker, we all know why that was written and how it was written. It reflects a direction that some people would like to take and which perhaps will be taken at some future time. However, at this stage, it is totally unnecessary.

This legislation is very similar to the legislation that existed for the Darwin Community College. It is a stepping stone. The Darwin Community College progressed to the DIT and the university. This has the capacity to provide a stepping stone for Batchelor College. In fact, it lifts legislation governing colleges above the level of the school legislation which now applies to them and provides the colleges with an opportunity for greater autonomy.

The legislation provides for colleges to appoint principals. None of the people who are currently employed by the colleges will be compulsorily transferred. The colleges will have the ability to hire staff either on contract or under their existing arrangements. They do not have to do this. They would do it on the advice of TAFEAC and with the minister's consent.

Aboriginal people wish to learn at their own pace. They wish to become comfortable with the procedures that other students in higher education in the Northern Territory can achieve. At present, they are likely to lose that capacity if things move the way that some people would like them to move.

The Leader of the Opposition spoke about career paths and contract employment. His concern was that contract employment might outdo permanent employment in the colleges. That is very unlikely. I think he referred to a capacity under federal legislation to minimise contract employment so that the ratio of permanent to contract positions would be 80:20. That is certainly not a requirement of any legislation in the Commonwealth. It is a policy of the Commonwealth but it is not mandatory. I am certain that what will happen is what is happening now. The only contract employees in the colleges will be employees for short-term courses - the sorts of courses that my department provides and the sorts of courses that the Department of Health will provide for its health worker programs etc. There will be contract employment for short-term courses. That is not unusual in Australia.

In the 80 or so similar colleges around Australia, that is the way people are employed for short-term courses. I am sure that the lecturers will have the intelligence to ensure that their contracts provide for superannuation and all of the things that they require. If we talk about the ability to have a career path within a particular service, the lecturers in colleges move around the whole of the Australian community of colleges in the course of their careers. They do not necessarily stay within the one service. They apply for jobs in various colleges and move from one service to another. I have no doubt that that will happen here.

I think perhaps now is the time to talk about the mobility procedures. In fact, it was mentioned earlier by one of the speakers that my department will be bringing forward mobility legislation and that will be introduced into this House in May. It would have been nice to have had mobility legislation in place for these colleges when they get under way, to make people feel comfortable, because there is no doubt at all that their interests will be protected without it. However, mobility legislation will be introduced in May and, no doubt, will be in place after the August sittings. That bill will provide for employees in one sector of public employment in the Northern Territory to be able to apply for transfer or promotion to another sector as internal applicants, thus retaining accrued service benefits. Eligibility for air fares, where this applies, will be retained by determining that the employee's commencement date will be the date of commencement in public sector employment in the Northern Territory. Conditions of service will be those applicable in the employment sector to which the employee has been transferred or promoted, and further accruals will be on that basis.

Promotion from one sector of public employment to another will be subject to the appeals provisions applicable within the sector to which the employee is promoted. The proposed legislation does not provide for compulsory transfer of employees between sectors, neither does this legislation provide for compulsory transfer. The practice of the Department of Education has been excellent in this regard. It holds its employees in high regard and ensures that, wherever possible, people are placed within the service, and I have no doubt that this will continue to be the case. If people choose not to stay with the colleges, under this legislation they will be quite free to move back into the department. I am quite certain that the department will do everything it can to place them but, if that is not possible, these procedures will apply. The proposed establishment of TAFE college councils has been taken into account in the drafting of the mobility legislation. If that does not put to rest the fears that some members opposite would like to spread around the community, then nothing will.

I have a great deal of confidence in the Department of Education and in the way it has handled this. In fact, there has been wide consultation with the college councils and beyond. Consultation is continuing with unions and with all affected people. Of course, the most important people in all of this, the people who really need to be catered for, are the end-users - the students and the employers.

This legislation will go a long way towards providing the autonomy that that the colleges believe they need. It will provide a stepping stone for them and I have no doubt that all of them will settle down comfortably with it. Not only will the students benefit from it, I believe all employees of the colleges will feel much more confident once they know the terms and conditions of their employment. They will be able to settle comfortably in their colleges knowing full well that, if they are competent, they can move about the academic community throughout Australia in order to further their careers.

Perhaps there is a need to sound a word of caution here. This is not something that I intended to raise, but it is of some concern to me and I know that it is of concern to a number of academics in some of these colleges. A particular institution in this country allows some academics to jump through the minor academic grades into the upper grades, if you like, without their acquiring the intermediate degrees or diplomas that would normally be required. Perhaps, in Batchelor College in particular, some lecturers have been able to skip steps in the academic ladder because of their experience and expertise in a particular field. I believe that we need to watch that very carefully. Whilst I know that many of these people are extremely capable, we need to take care that our colleges are not criticised because some people have progressed through the system in that way. I am concerned that a particular institution in the country is permitting that to happen. I think that other universities will probably distance themselves from that institution if it continues to do that. I sound that as a word of caution because it is of concern to me.

Mr Ede: What are you talking about?

Mr McCARTHY: I do not intend to go into detail. I am sure you know what I am talking about if you really know the system.

Mr Ede: Give us a hint.

Mr McCARTHY: Mr Speaker, I do not need to give hints.

I strongly support the legislation. It will provide the people of the Northern Territory with the ability to obtain the best deal from their colleges and, in the long term, will provide employees with optimum career opportunities.

Mr HARRIS (Education): Mr Speaker, I start by thanking those who have contributed to the debate. I must say that many of the issues that have been raised have been answered by my colleagues, particularly the member for Jingili and the Minister for Labour, Administrative Services and Local Government. It is unfortunate that the member for Stuart has seen fit to completely oppose the legislation. He would be well aware that there have been occasions when Batchelor College has not been able to obtain the staff necessary to carry out certain projects or to provide short-term courses. It has complained for years about its inability to obtain the staff to provide these important services to the users. Like the Minister for Labour, Administrative Services and Local Government, I emphasise the user because that is what the colleges are about.

I honestly cannot understand the member for Stuart's attitude when we are trying to provide the best for Territorians and, in particular, the best for Aboriginal people. I asked him to discuss this matter with me. I realised that there were concerns in respect of staffing matters, but I wanted to talk to him about the real worries of the college users and the problems that the colleges were experiencing in obtaining necessary staff. At some stage, he would have spoken to people from FEPI and other groups about this. As I said, I think the concerns raised by opposition have been answered adequately.

The member for Stuart intimated that we were establishing school councils to take control of these colleges. One of the problems was that the colleges were operating under school councils legislation and required the sort of autonomy that we are now providing to them in this legislation. It is important that colleges of this nature are able to meet the needs of industry

and the needs of the users whom they serve. If the honourable members opposite ever want to get into government, they will have to start to think about those sorts of issues ...

Mr Ede: I could have prepared better legislation.

Mr HARRIS: ... and not simply run down a burrow.

Well, why didn't you talk about it? All the honourable member did was knock and trot out his usual scare tactics. He is a great one for throwing things into the ring in order to mislead people. We then have to spend half a day correcting his nonsense.

There was talk about the colleges that the legislation will cover. The honourable member suggested that ASCOT should be incorporated into the Northern Territory University as a remote campus. When I interjected, 'I hope that you can get your colleagues in Canberra to come good with some money in relation to this', his retort was, 'All you go on about is money'. Money happens to play a very important part in the provision of educational services, and he knows that. If he could speak to his colleagues in Canberra and have extra funds made available to meet the needs of people right throughout the Territory and not only in one sector, that might be helpful. In respect of ASCOT, the Commonwealth White Paper indicates that higher education is to be provided within TAFE institutions by arrangement or by contract. The federal government does not want small, higher-education institutions.

The member for Stuart is not really across the Batchelor College issue. We have a statement before the Assembly that sets out very clearly the direction in which the government sees Batchelor College moving. It is important that honourable members consider those guidelines very carefully. We are not trying to stifle the development of Batchelor College. It is a unique institution in the Territory and it must be protected. There are people who want to push Batchelor College ahead too quickly. If that occurred, something precious would be destroyed in relation to the interests of Aboriginal people in higher education and teacher education. It took us years to obtain Commonwealth support for the college, and the member for Stuart knows that. Batchelor College must be seen as an institution that has a role to play in the Northern Territory education system, particularly in relation to Aboriginal education. Its courses are not confined to teaching. They have been expanded to offer a whole range of opportunities for Aboriginal people. I am disappointed in some of the member for Stuart's comments. I talk to Aboriginal people and I know how they feel.

UACA's concern about the minister's supposed ability to interfere is nonsense. We will not let the Commonwealth government tell us what to do with Batchelor College. I will not allow people from other states to dictate policy to this government and I have made that clear in the guidelines which I will discuss at another time. We are developing Batchelor College so that it will serve the needs of traditional Aborigines. I have made it very clear that we will also allow access to traditional Aborigines from across state borders. The member for Stuart, however, alleges that we are trying to stifle the growth and development of Batchelor College. We will not do that. We intend to ensure that it is able to provide the service which it was originally set up to provide.

Despite what the government has said, the opposition does not seem to realise that this is enabling legislation. It is not mandatory; the colleges

can take it or leave it. It is disappointing that the opposition is giving the impression that we are ramming this legislation down the colleges' throats. The original request for limited autonomy came from the colleges themselves. They asked for it because, among other things, they could foresee problems with staffing. I can understand why people would have concerns about staffing and I will address those concerns in a little while.

The working party at Batchelor College in fact supports the legislation. It said that the bill 'was noted and considered satisfactory for the governance of the college as a semi-autonomous institution in the initial phase of its operation'. It was observed that, 'as the college developed the education profile of a CAE, the legislation could be amended to permit greater autonomy'. Mr Speaker, we on this side of the House will continue to monitor the needs of Batchelor College and allow it to develop courses at the appropriate time. The debate which we will have later in relation to Batchelor College will enable members to discuss some of the issues.

The member for Stuart referred to letters which have been written by a number of people in relation to various aspects of the bill. I believe that those letters have been answered adequately. There have been some concerns in relation to staffing and the member for Jingili answered many of the questions which have been raised. In most cases, queries arose from a genuine concern about the ability to transfer, career paths, who the employer will be etc. Those matters need to be attended to and I can assure honourable members that that will occur.

The matter of the UACA letter was interesting. I met with Janie Mason in relation to it and it was interesting to note the response of the local branch to the comments of the federal UACA body which made a submission in relation to the legislation.

Mr Ede: I was quoting from the local branch's letter.

Mr HARRIS: Yes. I am simply using this as an illustration of how things can get out of hand. The federal group did not do its research and does not understand the situation. It referred specifically to Batchelor College and the provisions of the Education Amendment Bill. It called the college 'an institute of Aboriginal teacher education'. Of course, we have discussed its possible development into an Aboriginal tertiary education centre which, I believe, will occur at some stage. The comments of the local branch on various aspects of the bill differed from those of the federal body and that is why it is so important to examine this type of issue from a local perspective.

In response to the matters raised by UACA, I have already mentioned that the Northern Territory government, not the federal government, will decide on the direction taken by Batchelor College. Guidelines have been issued in relation to that. I have already said that Batchelor College performs a function for traditional Aboriginals and higher levels of education will be catered for through the Northern Territory University. The colleges themselves have requested limited autonomy and the legislation will provide that. The government has indicated the direction which it would like the colleges to take. The associate diplomas remain in the TAFE sector and I will be encouraging councils to put forward proposals that higher education staff be covered by higher education awards. I hope that councils will move in that direction. We will be keeping a very close eye on that.

It was very disappointing to hear the opposition's comments about a lack of consultation in respect of industrial relations. The member for Stuart slipped up when he commenced his speech by talking about a lack of consultation because he then went on to say that the draft legislation had been around since 1985 and that, since that time, all manner of issues and concerns had been discussed. Both the Northern Territory Teachers Federation and the Trades and Labor Council have nominees on TAFEAC and they have been involved in consultation for over 2 years. They have not objected to that process. The people on TAFEAC realise that there is a need for legislation such as this to give colleges the ability to cover some of the areas which they are unable to cover at present.

I have already mentioned the problems relating to staffing and the provision of short-term courses. We cannot get staff for the teaching service or the public service. There are real problems. This is not an attempt to break down the staffing provisions. The awards are there. Any employment of outside staff must have the approval of the minister and I can assure members that the awards would be negotiated before that was even considered.

The Leader of the Opposition said that contracts were more likely to be used in respect of the employment of staff at the higher levels. I have said that, at this stage, contracts will be used mainly for teaching staff in relation to short-term courses. I have indicated that there are problems in providing those courses at Batchelor College and the Katherine Rural College. The same applies to part-time tutors. Contracts are not the major concern which members opposite have made them out to be. The matter of the 80:20 split has been covered.

The opposition referred to Batchelor College possibly moving into the unified system as outlined in the Dawkins White Paper. I repeat that the unified system requires a minimum of 2500 students per institution and, currently, the full-time enrolment at Batchelor College is less than 20% of that. The Commonwealth is not pushing that. As I said, we are very pleased that the Commonwealth will assist by providing funding at the appropriate level to Batchelor College. Naturally, we would like it to provide more. The major funding for Batchelor College still comes from the Northern Territory government and we will keep control of the college. The Commonwealth has also been consulted regarding the Batchelor College legislation. Again, we have made it very clear that, when Batchelor College grows, the courses will be reviewed at the appropriate time.

I cannot find my note of the other point that the honourable member raised. However, let me say that many of the comments made in relation to this legislation are unwarranted. I have given the assurance ...

Mr Smith: Your assurances are not worth the paper they are written on.

Mr HARRIS: Look, the Trades and Labor Council, the Northern Territory Teachers Federation and other members of TAFEAC have discussed this legislation. I believe the issues have been fully canvassed by members of this government and I will continue to ensure that any problems raised, particularly in relation to staffing, will be examined responsibly. We will not threaten people. There will be no compulsory transfers. The member for Stuart throws words such as 'compulsory' into the ring in order to frighten people. Our aim is to provide a system which will give the colleges the opportunity and the ability to cater for the needs of Territorians. Staffing matters will be addressed over a period of time and consultation will continue in that regard. Mr Speaker, I believe that the questions raised by the honourable members have been answered.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr EDE: Mr Chairman, this clause relates to the commencement date and I would like the honourable minister to clarify why the commencement date is 1 July 1989 which would probably be one of the more awkward dates that could be picked. It is in the middle of the school year. It does not fit in with the financial year because the bill stipulates that the financial year for these institutions will be the calendar year. That commencement date will create particular problems for the linguistics group which is moving into Batchelor. It will find it particularly difficult to fit in with this. I would like the minister to provide some justification for the choice of that commencement date.

Mr HARRIS: Mr Chairman, in the negotiations on this legislation, the commencement date was discussed. That is the date that was chosen and I accept it.

Clause 2 agreed to.

Clauses 3 to 5 agreed to.

Clause 6:

Mr EDE: Mr Chairman, I request that clause 6, covering proposed new part VI, be broken down into the proposed new sections.

Mr Chairman, I rely on standing order 131 in this regard and, with your indulgence, I would like to debate a number of the new sections proposed in this clause. I have provided you with a list of those sections, Mr Chairman, and I seek the committee's indulgence in this matter.

Mr CHAIRMAN: I have no objection to the honourable member for Stuart debating proposed new part VI section by section.

Proposed new sections 40 to 42 agreed to.

Proposed new section 43:

Mr EDE: Mr Chairman, I remind honourable members that this sets out the powers of the colleges. Members will note that the ability to employ and disengage staff is excluded from that list of powers. It would appear that that power resides in proposed new sections 51 and 52. Representations have been made to me by UACA which has submitted that the power to hire and fire all employees should be inserted into proposed new section 43, and not qualified by the necessity to seek ministerial approval and the approval of other authorities.

I would like the honourable minister to give a general response in that regard. I can see some reason why it is in the other proposed new sections in respect of TAFE institutions but, once again, what might be appropriate for a TAFE institution may not be appropriate for the other institutions involved. The general run-of-the-mill legislation provided for colleges of advanced

education would indicate that it should be in proposed new section 43 and that we should not rely on proposed new sections 51 and 52. As members would know, this is subject to ministerial approval and the approval of an authority such as TAFEAC.

Mr HARRIS: Mr Chairman, I am happy to address all of the issues raised by the honourable member in relation to ministerial power, and I guess it is the power of veto on those things which he is concerned about and which UACA raised in relation to proposed new section 52. I do not see that there is any reason to include that in proposed new section 43. Batchelor College will enjoy a considerable degree of autonomy that is consistent with its present size and development stage. The matters raised by the member are covered in the appropriate places in the legislation.

Mr EDE: Mr Chairman, I am trying to find out why the honourable minister did not include the powers to hire and fire staff in proposed new section 43. UACA has asked why the power resides in proposed new sections 51 and 52 and not in proposed new section 43. I am not talking about the power of the minister to intervene to provide or withhold his approval or about the approval of TAFEAC or any other body. Proposed clause 43 lists the powers of the colleges. I am asking why the power to hire and fire is not included there.

Mr HARRIS: Mr Chairman, let us look at proposed new section 43 and see exactly what it does. Provision is made there for the colleges to do such things as: make arrangements with other educational institutions to run courses; make awards in relation to the passing of exams or otherwise in connection with the education and training provisions of the college; enter into contracts; acquire and dispose of real and personal property; erect buildings; create, obtain and hold rights of intellectual and industrial property and enter into agreements or arrangements for the commercial exploitation of any such property; accept gifts, grants, bequests etc; establish and maintain libraries, laboratories and museum facilities; and establish and maintain residential accommodation for staff and students. Staffing is a different matter and is dealt with in the appropriate place in the legislation.

Proposed new section 43 agreed to.

Proposed new sections 44 to 47:

Mr EDE: Mr Chairman, there are a number of points to be made in respect of these provisions. The first concerns the minister's assertion that he has control over a council's decision in relation to the termination of employment of NTTS staff currently employed by it. I believe that he is relying on proposed new section 44(3)(a) for that power. I know that he has the ability under sections 15 and 16 of the Northern Territory Teaching Service Act to post teachers to the new institutions but how will he ensure that the councils of those institutions will not decide to terminate the employment of existing staff? Given that there are no safety provisions for those staff in this legislation, what security will they have? How will he prevent councils from saying to staff members: 'You are surplus to our requirements. We intend to recruit our own staff. You can return to the NTTS if it will have you'.

Mr HARRIS: Mr Chairman, I thought we had covered the entire issue of staffing. I have indicated that some matters are still being discussed. I can assure honourable members that college councils will not be able to take such actions. Such matters will be referred to myself as minister and I will make the decisions.

Mr EDE: Mr Chairman, the minister has not read his powers under proposed new section 44 which is the only area of the legislation which refers to this issue. That section covers him as far as NTPS staff and temporary employees are concerned. Proposed new section 44(3)(a) states that a council: 'shall, in the discharge of its responsibility for the efficient and effective administration of the college and the efficient and effective management of its finances and facilities, make the fullest practicable use of services and resources available to the council through the Department of Education'. Proposed new section 44(3)(b) goes on to say that the councils are subject to the directions of the minister in the exercise of their powers and the performance of their functions. There is no reference to the minister's ability to give directions in relation to anything apart from administrative matters. Where is there a reference to teachers?

Mr HARRIS: Mr Chairman, I believe that proposed new section 44(d)(b) covers that matter.

Mr EDE: Am I to presume that, if a council attempts to subvert that and to say that (b) is subject to (a), he will use the full force of his position to look after the interests of the teachers?

Mr Harris: Yes.

Mr EDE: That is excellent.

I now move to proposed new section 45 which relates to the composition of councils. There is no provision for any union representation or, as is generally accepted in TAFE institutions, employer groups. I understand the minister's problem which arises because of the need to link Batchelor College into the legislation. That is why this omnibus legislation will not work. I would like the minister to give us an assurance that the principle of union and employer representation will be maintained when he selects the 10 people whom he is able to appoint under this legislation.

Mr HARRIS: Mr Chairman, I have no problem in giving that assurance. The department has an excellent record in relation to appointments to various boards. I can assure the honourable member that, if at all possible, we will ensure that both union groups and employer groups are represented on those councils.

Mr EDE: Mr Chairman, honourable members will note that, under proposed new section 47, there are various provisions for the vacation of office and the filling of casual vacancies. Although many of these provisions are archaic, I do not intend to argue about them now with the exception of 47(3)(b) which is what we have referred to as the Moscow clause. It states that the minister may remove a member from office if the member 'is, in the opinion of the minister, physically or (notwithstanding that the case does not fall within subsection (2)(c))' - which refers to the provisions of the Mental Health Act - 'mentally incapable of performing the duties of his office'. What is that supposed to mean? Does it mean that, even though a person is not mentally incapable under the provisions of the appropriate legislation, the minister has an overriding power to decide who is or is not mentally capable of holding the office and has the power to sack people on the basis of that power? That should be deleted. It is ridiculous.

Mr HARRIS: Mr Speaker, I believe that it might relate to a situation in which a person is a voluntary patient and other similar situations. I believe that the power needs to be there.

Mr EDE: Mr Speaker, it uses the words 'physically' and 'mentally'. Any minister who, in this day and age, is prepared to exclude a person because of physical incapacity would be very brave indeed. It is certainly a long way from the spirit of the International Year of the Disabled. The minister knows full well that, if he attempts to dismiss a person on the basis that the person is mentally incapable, he will have to prove his case in court. I do not envy him that task when he tries to prove that the person's mental incapability falls outside the scope of the Mental Health Act. I am only saying this to help the minister.

Mr HARRIS: Mr Chairman, I believe that the provision relates to senility and so forth. It needs to be in the legislation and the member for Stuart is simply dragging these issues out.

Proposed new sections 44 to 47 agreed to.

Proposed new sections 48 to 50 agreed to.

Proposed new sections 51 and 52:

Mr EDE: Mr Chairman, UACA has particular problems in relation to Batchelor College. Like myself, UACA cannot see why it has been included with TAFE colleges in this legislation. UACA has a real problem with proposed new section 51 which allows the minister a right of veto over the appointment of a college principal. A similar concern applies in relation to the requirement that the minister approve the terms and conditions of other staff.

The choice of a principal is an important one for any academic institution, particularly one which is moving towards tertiary status. UACA's view is that academic leadership is only possible with the approval and trust of peers and subordinates. It can see no logical need for a discretionary veto power to be within the gift of the minister in respect of the appointment of a principal who, as the chief executive officer, should be accountable to the council, which should in turn be accountable to the public through the parliament. While direct ministerial oversight should occur, the decision should lie with the college council itself. I agree with those principles put forward by UACA.

I would also like the minister to advise me of how, on 1 July when the powers take effect, the NTOC council will appoint a principal. NTOC has no council. Does that mean that it will have no principal until a council is created and makes an appointment which, in turn, is subject to the ratification of the minister? I have been unable to find in the legislation any provision which allows for continuity while the machinery falls into place.

Mr HARRIS: Mr Chairman, the minister's power to veto the appointment of the principal is a safety mechanism. It applies to all colleges at this stage of their development. It would be most unusual for such a veto to be exercised and it would be done only in consultation with the councils. I can assure the honourable member that that would be the case. In answer to the other question, NTOC will have a council by 1 July.

Mr SMITH: Mr Chairman, I am happy to admit that my question may possibly be covered in the bill somewhere. Proposed new section 52(2) refers to the council, with the approval of the minister, setting the 'terms and conditions of any contract of employment or other contract or arrangement under subsection (1) ...'. To me, that would seem not to cover the setting the

terms and conditions of employment of permanent staff. I would like to know who sets the terms and conditions of employment of permanent staff under this legislation because it certainly does not seem to be covered by that, and I am not sure where else it is covered.

Mr HARRIS: Mr Chairman, proposed new section 52(1) reads: 'Subject to subsection (2), a council may - (a) employ such staff (whether on a permanent, part-time or casual basis) ...'. I believe that that covers it.

Mr EDE: Mr Chairman, does that mean that, on each occasion on which a staff member is appointed, TAFEAC has to be approached? Can the minister provide details as to how the changeover from existing NTTS staff will occur? Is he saying it will not occur and, if so, why wasn't that put in the legislation?

Mr HARRIS: Mr Chairman, proposed new section 52(2) reads: 'The terms and conditions of any contract of employment or other contract of arrangement under subsection (1) shall be such as are determined by the council with the approval of the minister, who shall, in deciding whether or not to give his approval, consult with the Technical and Further Education Advisory Council'. Through that process, I believe those matters can be addressed in the appropriate way.

Proposed new sections 51 and 52 agreed to.

Proposed new section 53:

Mr EDE: Mr Chairman, proposed sections 45 and 53 both refer to this person 'the Secretary'. Nowhere in the definitions is 'the Secretary' defined. I believe that may relate back to the principal act somewhere. From what I can understand, it refers not the secretary of a council but to the Secretary of the Department of Education.

Mr Harris: That is correct.

Mr EDE: It says in part: '... for the purposes of those sections as so applying, the Secretary is the accountable officer'. That means that, for the purposes of those sections, the Secretary is the accountable officer of a council of a college under this legislation.

Mr Firmin: In respect of the Financial Administration and Audit Act.

Mr EDE: Exactly. It was stated before that these are not statutory authorities yet, for the purposes of the Financial Administration and Audit Act, the Secretary of the Department of Education is the accountable officer. How can we say then that these are independent institutions, acting in their right? Surely that is another hobble on all of them to prevent them moving any further without obtaining the agreement of the Secretary of the Education Department?

Mr HARRIS: Mr Chairman, we have indicated very clearly that councils will have limited autonomy at this time. That particular section excludes a college from being a statutory corporation under this legislation. However, for the purposes of sections 17 and 27 of this act, relating to commitment of public moneys and internal audit requirements, colleges will be deemed departments and the Secretary will be deemed the accountable officer. Someone has to be accountable and the Secretary of the Department of Education is the appropriate person.

Proposed new section 53 agreed to.

Proposed new section 54:

Mr EDE: Mr Chairman, I have noticed that there is no provision to cover the period from 1 July 1989 to the end of 1989. In legislation of this nature, transition provisions should be included. Perhaps the minister could explain that to me later.

Mr HARRIS: Mr Chairman, budget and financial information is covered in the bill.

Proposed new section 54 agreed to.

Proposed new sections 55 to 60 agreed to.

Proposed new section 60A:

Mr EDE: Mr Chairman, I would like to put on record once again that the provisions under proposed section 60A mean that the councils will have no real control over their finances because, after consultation with TAFEAC, the minister may direct the Secretary to require a council to vary its budget. Whilst it may be argued that such a limitation is appropriate for a TAFE college - and that is an argument that we could have at another time - under this legislation, these bodies appear to have even fewer powers than a school council. That is inappropriate for a college such as Batchelor College which is moving towards becoming a tertiary institution.

Mr HARRIS: Mr Chairman, again, this is a safety provision which would not normally be used. The setting of program priorities would occur in a cooperative context and involve input from a number of vested interests. However, it must be recognised that the setting of priorities in education and training is very much a concern of the government. Batchelor College continues to receive the majority of its funding from the Northern Territory government. Funding from either the Commonwealth or the Northern Territory governments will be provided in terms of agreed programs which support identified goals and priorities for Aboriginal development. This was one of the concerns that UACA had. At this early stage, it is there as a safety provision.

Proposed new section 60A agreed to.

Remainder of clause 6 agreed to.

Remainder of bill taken as a whole and agreed to.

Bill reported; report adopted.

Mr HARRIS (Education): Mr Speaker, I move that the bill be now read a third time.

Mr EDE (Stuart): Mr Speaker, I am extremely disappointed. The colleges will have to wait for a Labor government before they will be able to get the justice and the direction that they deserve.

Mr HARRIS (Education): Mr Speaker, I must respond to that because, once again, the member for Stuart has shown in this Assembly, during the course of this debate, that he is really not interested in Territorians. We have

introduced these amendments in response to a request from the colleges to provide them with limited autonomy. I can assure honourable members that we ensure that we are able to provide the necessary educational and training opportunities for Territorians. Believe me, Mr Speaker, if the day comes when the opposition is in power, the Territory people will have a problem.

Motion agreed to; bill read a third time.

MINING AMENDMENT BILL
(Serial 152)

Continued from 22 November 1988.

Mr LEO (Nhulunbuy): Mr Speaker, at the outset, I indicate that the opposition supports this legislation. I thank the officers of the Department of Mines and Energy who, with the minister's consent, provided me with extensive briefings on the development of these amendments. The bill is quite extensive and also has a fairly large schedule attached to it. Like a number of other honourable members, I received representations from pastoralists who had some concerns about their rights under the proposed legislation. Most of those concerns, I believe, have been addressed in the amendment schedules. I was satisfied by the Mines Division that some of the fears of the pastoralists will not be realised.

However, I have a question to ask the minister and I am sure it is one that he can satisfy very easily. It concerns the amendment to section 5, which are contained in clause 5 of the bill and relate to the appointment of a warden. The bill changes the manner in which that is done. It has been put to me that the amendment will allow the minister to appoint a warden from outside the public service and that the legislation contains no reference to such matters as the selection criteria to be used in the selection of a warden, the appointee's tenure in the position and so forth. That is perceived by some persons as potentially jeopardising the notion of the independence of the Mining Warden. The matter has been brought to my attention recently. I do not know if it has been brought to the minister's attention. I ask him to comment in his reply. With those few words, I reiterate the opposition's support for the bill.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I wish to make a few brief comments in relation to the bill, principally from the point of view of the pastoral industry and other landholders. I want to record also that I am pleased that the Grain Growers Association and the Cattlemen's Association have been involved in the development of this bill. I thank the minister for extending to those associations an opportunity to comment on it. The officers of my department provided assistance in that regard.

I am satisfied that the legislation makes allowances for the needs of landholders and for the multiple land use concept to be put in practice. I think that is an achievement of which we should be proud. The administrative procedures to safeguard the rights of landholders and the requirements of the pastoral industry, the agricultural industry and other land users are important. The fact that these industries have had an opportunity to partake in the drafting of the legislation should ensure that it will work well. I support the bill.

Mr EDE (Stuart): Mr Speaker, I too have had representations from the pastoral industry in relation to this bill and I am pleased to see that we have a schedule of amendments before us. In particular, I am pleased that

amendment to clause 68 will increase the period for provision of notice from 14 days to 21 days. I still have a concern, however, about our inability to set up a system which would ensure that all pastoralists and people in rural areas will actually receive that notice. I am aware of the difficulties. Even if certified or registered mail is used, a person can use devices to ensure that he does not receive the notice. I would have hoped that the brains in the Department of Law and the Department of Primary Industry and Fisheries would have been able to come up with a formula which would have ensured that people who may be isolated on their properties because of wet weather do not discover, when they are finally able to collect their mail, that mining activity is to occur on their land and that their opportunity to object has passed.

We require 2 ministers of equal power to address this legislation because of the need to achieve a balance. On the one hand, it relates to the need for the Territory to develop its mining industry and to utilise the wealth gained from mining for the further development of the Territory. On the other hand, there is a need to acknowledge the fact that the pastoral industry and other industries operating on the land are dealing with it as a renewable resource, one which can be utilised for generations after the mining industry may have worked out a deposit and left. If you look at it in dollar terms of discounted cash flow or net current benefit, the mining industry looks fantastic. It looks as though its benefits far exceed those of the pastoral industry. We need to look to the long term.

I see the honourable minister giggling over there, as he is wont to do. When I visit cattle stations, I hear about the remarks of the honourable minister as, in his own inimitable fashion, he attempts to win the hearts and minds of pastoralists. His latest example is: 'The pastoral industry? That is a couple of fence panels and second-hand Toyotas. What is that worth?' There are a number of pioneer pastoralists who, like members on this side of the House, believe that the pastoral industry and the people who have been working that land are worth far more than suggested by that throwaway line from the honourable minister. If that attitude is reflected in the drafting of this bill, I will have real concern.

Mr Coulter: They still love me more than they love you.

Mr EDE: Mr Speaker, the ones whom I talked to say: 'He was a good lad. We had hopes for him but, of late, he has gone right off the rails. We cannot talk to him any longer because he is not interested in talking to anybody who has less than \$100m in his bank account'. Half the people that he talks to probably only have that from a loan account. They are not talking about real development and they do not have their money invested here.

The people in the pastoral industry have invested here. They have said that they are here for the long haul. They are struggling to develop the Territory and make a reasonable living. They are fighting against tremendous odds in the face of a minister who cannot manage a BTEC campaign, but they are still in there battling. The last thing they need is another minister completely destroying them. The minister has told his staff that they are there wholly and solely to promote and foster the mining industry. There was a time when I was the shadow minister for mines and energy. At that stage, I attempted to point out to him repeatedly that, as well as fostering the mining industry, as long as he had control over the Mines Safety Act, he had another responsibility to the workers. That issue has been taken up by my colleague in another context and I will not raise it now.

However, the minister, as a member of the government, as a member of this Assembly and as a Territorian, also has a wider responsibility to ensure, in the implementation of this act, that he considers the problems of people on Mary River Station and other properties who are finding that their properties may be destroyed. The ability to run their programs may be severely impaired by mining. He must realise that the land is a long-term resource and we have to keep it intact because, in the final analysis, that is what the Northern Territory is. We have to maintain the quality of the land. While we look for the benefits of mining, we must also ensure that we do not disregard the very real benefits to be gained from the pastoral industry.

Mr TUXWORTH (Barkly): Mr Speaker, I have been prompted to rise by the remarks of the Deputy Leader of the Opposition. He is right in pointing out that we have abundant land and we are not making any more of it. While it is important that we look after it, it is also important that we do so reasonably. The Deputy Leader of the Opposition's proposition about the rehabilitation of land after mines have been worked out is an admirable one but it is very difficult to put a figure on the costs, particularly when you are drilling a hole looking for an ore body that might not be there.

In the event that any government proposes to adopt a policy of that nature, as far as the industry is concerned, it is just another impost or cost. It is something that needs to be taken into account in a mining company's considerations as to whether it will explore here or somewhere else where conditions are more favourable. If the Territory advances the proposition that miners will have to pay for rehabilitation after they have explored for an ore body that might not be there or after they have mined for 10, 20 or 40 years - perhaps not making any money in the process - the industry may be saddled with a burden which would discourage it from coming here. While that proposition might seem admirable from the conservationists' point of view, it is pretty impractical from the point of view of exploration groups which are trying to find mineral deposits which elude them at most turns.

The honourable minister would have understood from his meeting in Tennant Creek with the gougers, prospectors and fossickers ...

Mr Coulter interjecting.

Mr TUXWORTH: He has been saying for over a year and a half that he will come back, but no one is holding his breath. I am sure that he will make it one day. He would have gauged from the feeling of that meeting that there needed to be some remedial work on the act to overcome the problems that miners and gougers, as well as farmers, have been experiencing with the current act. I have a fair amount of sympathy for all groups involved in the argument, particularly the farmers, who are now obliged by law to maintain very heavy covenants in terms of their participation in the BTEC program. If they do not maintain those programs in a manner which satisfies the authorities, they are left with the burden of cleaning up the BTEC problem themselves. Once you are clean and have received government assistance, you do not receive it a second time. If the program is jeopardised because a gouger or a fossicker or anybody has left the gate open, it is pretty unreasonable for the farmer to bear that load. At the same time, it is unreasonable for the farmers to say to all and sundry that they do not want them there because they do not want to take the risk.

It is easy to sympathise with both parties. I must say that I have an empathy with those legitimate explorers who take out ELs, put in work

proposals to the minister for hundreds of thousands and sometimes millions of dollars, and find blokes running around their blocks with metal detectors, excavators and dozers. That is not fair either. It is not fair on the landholder who has to run a pastoral property or on the man who has put in a proposition to properly explore the area at a great deal of expense.

The difficulty has to be fixed in a way that enables fossickers to continue to operate. I have a great deal of empathy for the fossickers as we know them today. They are the people who found Nobles Nob and Peko. Those are 2 mines that have been worked in the Northern Territory for nearly 40 years and have provided hundreds of millions of dollars of overseas reserves for this country, thousands and thousands of jobs and opportunities for people starting off in life and have paid untold millions of taxes to the Commonwealth Treasury and to other treasuries. That is what fossickers have done in one small area and we should not disregard them or lock them out. One day, another blind man who has a mate with one eye might find another mine that will run for 40 years and produce tonnes and tonnes of gold. God knows this country needs it. That is what happened at Nobles Nob. Old Mr Weaber was blind and Jack Noble had one eye. Weaber was the geologist and Jack Noble described the rocks to him and he decided whether they would stop there and dig or move on to the next site. It cannot be much more primitive than that. That is how Tennant Creek was born.

Mr Coulter: Now they have a member down there who cannot see, they have to describe everything.

Mr TUXWORTH: I say to the honourable minister, Mr Speaker, whatever my physical shortcomings might be, I do have the benefit of constituents who have great wisdom and sagacity and I am grateful for that.

On the surface, the proposals seem to put forward a solution to the problems that the 3 parties are experiencing with one another. Knowing gougers and others as I do, I think it is only a matter of time before a few will find loopholes and we will have a re-run of the last 12 months. I ask the minister to keep a close eye on the administration of the new amendments so that we do not allow any further friction or conflict to develop between the parties.

Perhaps the minister might like to consider - and I put this to him for serious consideration - the production of a video which his department can make available to landholders, fossickers and miners and which spells out the legal rights and responsibilities of all people using others' land for the purposes we are talking about. As I understand it, most of the explorers coming into the Northern Territory are not familiar with our laws or our ways. Most of the gougers do not want to know anything that has changed in the last 30 years if it means that they have to change. Most of the farmers do not have a lot of time to research their legal rights in relation to these problems. It would be very helpful if a video could be prepared. It could be sold or made available through libraries so that any party could obtain information on its legal rights and entitlements. It could include a section on sacred sites and land rights. That would not go astray from the point of view of gougers who have to respect the rights of Aborigines and their interest in land in this regard.

I welcome the proposals put forward by the minister. I will be in touch with the gougers in my area whether I like it or not because they will be in touch with me. It would be helpful if the minister could also be in touch with them because they think he died some years ago. If he could come to Tennant and dispose of that myth, it would be good for all parties concerned.

Mr COULTER (Mines and Energy): Mr Speaker, I thank honourable members for their contribution to the debate. In relation to the member for Nhulunbuy's comments about the appointment of the warden, that is to be determined. I can assure him that it will be done in consultation with the judiciary and the Chamber of Mines. The conditions under which he is employed will be determined. I think that will satisfy the concerns raised by the member.

The member for Stuart referred to the extension from 14 days to 21 days in new section 68. I cannot agree with his argument. If landholders cannot get out of the properties because they are flooded, it is highly unlikely that drilling rigs or large trucks would be able to enter the properties. It is a 2-way street and I cannot accept that the problem will be as he suggests.

I apologise to honourable members for the amendments to the amendments. They are the result of widespread consultation throughout the mining industry and with the pastoral industry. I trust honourable members will accept the minor inconvenience caused by the introduction of some 12 amendments in addition to the 101 amendments. We have a good working relationship with the pastoral industry and the Cattlemen's Association. Indeed, the Cattlemen's Association deals directly with my office, an arrangement which works well and has obviated the problems caused by the considerable amount of misinterpretation which had previously been trickling through the system.

Nobody could question my devotion to the mining industry and some of the figures are fairly outstanding. During this year and next year, my goal for the Northern Territory is to produce the same amount of wealth from Northern Territory minerals and hydrocarbons as the entire Australian wheat crop produces - \$1700m. That is my goal. It is not a matter of 'doing it at any cost'. I think that I have demonstrated my ability to consult with industries such as the pastoral industry in pursuit of such goals which, though they may be ambitious, are attainable: approximately \$1200m in mineral wealth and about \$500m in hydrocarbon wealth can be extracted annually from the Northern Territory. That is just the beginning. Once we become involved with the value-added aspect of our minerals, we can increase that considerably.

I have sympathy for the pastoral industry and I do speak to pastoralists. I have been quoted as making some statements which may be considered to be derogatory to the pastoral industry and also perhaps to the horticulturists and the grain growers. In most cases, I do it lightheartedly. I have been quoted as saying that some of the subsidies that are given to the pastoral industry, the horticultural industry and agricultural industry are quite beneficial indeed.

Mrs Padgham-Purich: There are not too many.

Mr COULTER: There are not too many? Let me name a few for the benefit of the member for Koolpinyah. To begin with, they include drought relief, flood relief and fire relief. Then we have crop contracting schemes, bull subsidies and fertiliser subsidies. We restrict our market by stopping imports and we offer export incentives to the pastoral industry. I could name another 20 subsidies that agricultural industries receive. If the mining industry were able to obtain half those subsidies, we would all be doing very well. The member for Koolpinyah may reflect on those subsidies and, if she wants a complete list, I am happy to give it to her. I hope that I have answered her interjection satisfactorily.

Mrs Padgham-Purich: What would a miner do with a bull input subsidy?

Mr COULTER: Mr Speaker, many mines on pastoral land are in fact the water catchment and recreation areas of the future. The mine at Pine Creek, for example, will leave a magnificent recreational dam which may one day prove as popular as Rum Jungle. One of the dams on the Mary River property was established by the mining industry.

There is much to be gained through true cooperation between the pastoral industry and the mining industry. Access to land is vital, particularly with 50% of the Northern Territory locked up as a result of the Aboriginal Land Rights Act. Whilst it is true to say that 90% of the mineral wealth of the Northern Territory comes from Aboriginal land, less than 5 agreements have been completed since the Aboriginal Land Rights Act of 1976 came into force. All that wealth was extracted from Aboriginal land before the act came into effect. I am pleased to say that the relationship between the Aboriginal community and the mining industry is growing stronger every day. We spoke about that during debate on the Martin Report last evening. It is pleasing to see that many Aboriginal communities are now willing to look at ways and means of creating meaningful full-time work and emerging from beneath the welfare umbrella which has been firmly put in place by people who want to keep them under it for ever.

Mr Speaker, I do intend to look at the designation of more fossicking areas. The problem with the fossickers and the gougers is the clause in the act which refers to hand-held implements. It was meant to refer to a pick and shovel and a metal detector but many fossickers believe that, when they get on a backhoe and operate it with their hands, they are using a hand-held implement. The same applies with excavators, bulldozers and graders. In terms of the strict letter of the law, one cannot disagree with them but the fact is that much of the gold theft is accomplished by people on somebody else's EL with one of those so-called hand-held implements. We are tightening up in that area as a result of consultation with the Gold Squad. We have allowed the metal detector to be classified as a hand-held instrument but it would not surprise me if fossickers claimed that magnetometers and aircraft were also hand-held implements on a slightly larger scale.

It is not only prospectors and miners who leave gates open on pastoral properties in BTEC zones. I know of a property in a BTEC zone which contains a large number of mines. About 7 gates are opened and closed on a daily basis and that has been occurring for the last 4 or 5 years without any incidents. I sympathise with pastoralists whose operations are disrupted. I know of an incident which occurred on a station near Tennant Creek. Stock had been mustered into a small paddock and the gates were left open. The whole herd went back out into the big paddock and mustering had to recommence at considerable cost to the pastoralist. I am not saying that a miner or a gouger was responsible. I do not know who did it and I have an open mind. I do not blame everything on the prospectors, gougers and miners. They are not the only ones who leave gates open.

Rehabilitation is another issue. Large amounts of money are held back by the government for rehabilitation of mine sites. There is also a code of ethics. There have been breaches of that code. Indeed, I recall an incident in which a road was constructed across a pastoral area without notification to the pastoralist concerned. Considerable erosion occurred as a result of that road being poorly constructed and the people who put the road through were severely reprimanded by the industry. The industry is well aware of the problem and there is an ever-growing concern among mining companies for the conservation of our lands in the Northern Territory. We should not forget, however, the damage done to the land by 4-wheel-drive enthusiasts and trail

bike riders. Much erosion results from their activities. Considerable damage can also be caused in some areas which are heavily utilised by tourist traffic.

I agree wholeheartedly with the member for Barkly's comments about the early explorers. Obviously, Davidson comes to mind, together with the person who explored the McArthur River area in the early days. I know that the member for Barkly visited the area and found the old crucibles and other equipment used in the laboratory which was set up there. Davidson went out to The Granites in 1898. He was a Welsh miner who jumped off a ship in Sydney, bought a camel, headed down Pitt Street and ended up in the Western Desert. At the time, there was no water, no kangaroos, no birds, no Aborigines and very little else. He brought back the ore in sugar bags strapped to his camel.

We have been anxious to ensure that that type of activity continues. That is why we brought in the 150% allowance for exploration certificates against 30% of the mining royalty. We wanted to stimulate enthusiasm again and therefore we allowed people to get back 150% of their investment against royalty payments. That suggestion was put to us by none other than Charles Copeman of Peko. We are trying to encourage the modern-day equivalent of the type of exploration which occurred in the early days.

Mr Speaker, in closing, I thank honourable members for their contributions. I again apologise for the amendments to the amendments but, once again, the legislation is a product of consultation. I believe that we have satisfied all people concerned within the industry, directly and indirectly. The government's intention, in putting together these amendments, is to assist the mining industry to survive and prosper, along with all other industries in the Northern Territory.

Motion agreed to; bill read a second time.

See Minutes for amendments agreed to in committee without debate.

Bill passed remaining stages without debate.

BUSINESS FRANCHISE AMENDMENT BILL
(Serial 162)

Continued from 30 November 1988.

Mr SMITH (Opposition Leader): The opposition supports the bill.

Motion agreed to; bill read a second time.

See minutes for amendments agreed to in committee without debate.

Bill passed remaining stages without debate.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 110)

JUSTICES AMENDMENT BILL
(Serial 107)

BAIL AMENDMENT BILL
(Serial 109)

Continued from 30 November 1988.

Mr BELL (MacDonnell): Mr Speaker, as all honourable members will be aware, this legislation is to deal particularly with the problem of domestic violence. There are a number of issues that I want to raise in the second-reading debate on this subject. For the benefit of the Chief Minister, I commence by indicating that there has been and will continue to be essentially a bipartisan approach on this issue. Because I think that the Assembly would benefit from some sort of assessment and understanding of the different strategies that have been adopted in different states in recent years to attack this problem, I will mention some of them during the course of my contribution to this debate.

The only possible criticism of the government's actions in bringing forward this legislation relates to the amount of time which it has taken, and I will address that issue before commenting on the bill as a whole. When we turn to the history of the government's action on domestic violence, we note that, in 1983, the d'Abbs Report on 'Domestic Violence Between Adults in the NT: A review of Current Services and a Strategy for the Future' was delivered to the then Minister for Community Development, the member for Barkly. During the May sittings in 1988 - and I point out to honourable members that that represented a lengthy, 5-year gestation period - the then Chief Minister, the member for Nightcliff, tabled 3 draft bills for consideration in this parliament. During the October sittings last year, whilst the legislation was not introduced, a new Chief Minister made a statement on the bills. Some revision had occurred and a new concept, the so-called ouster provision, had been introduced.

I am aware that women's groups in the Territory have been lobbying the government for a number of years on this matter, and the member for Nightcliff is to be congratulated on his actions. However, it has to be said that the CLP, as a governing party for nigh on 11 years since self-government, has taken 5 years to react to the initial report. There can be no doubt that the d'Abbs Report clearly indicated that there was a need for government action and, for the benefit of honourable members, I will refer to some of the data included in that report. The report showed that, during the period from 1 July 1982 until 10 June 1983, police were called to no fewer than 500 disturbances. 70% of those call-outs occurred between 6 pm in the evening and 6 am in the morning. The Crisis Line counselling service was receiving at least 10 crisis calls per year between the years 1979 and 1983. The occupancy rates at Dawn House Women's Shelter during the period from June 1982 to June 1983 revealed that women and children using the shelter were staying, on average, for 4.8 days. At that stage, the data obviously was considered to be of no significance.

Clearly, this government's attitude to domestic violence was that what happened in a person's home was his or her business, regardless of the extent of emotional and physical trauma being experienced by a significant number of women and children. I think it is probably worth pausing to indicate that domestic violence is regarded in the law in the same way as any other violence. I feel a great deal of sympathy for police who have to visit under these circumstances. The figure of 500 disturbances attended by police in a period of slightly less than 12 months indicates a considerable demand for sagacity and understanding on the part of the police. It is the sort of circumstance in which one would hope that experienced and more senior officers would be used.

I think this needs to be referred to. This government seems to have a very one-eyed attitude towards the police force. I think that occasionally this legislature ought to be ringing bells for all sorts of organisations.

Honourable members will recall that, in debate yesterday, I was prepared to be rather more even-handed about my former colleagues in the teaching service than many members of the government appear to be about their former colleagues in the police force. In this regard, there has been an attitude that police have been inclined to relegate to the background the fact that domestic assault is still assault and should be pursued, and have tended to make value judgments about victims of domestic violence. I refer honourable members to a paper that appeared in the Legal Services Bulletin Volume 13 No 5 October 1988 which indicates that there is tendency in police training that encourages members to become disillusioned and cynical by the apparent readiness of a woman to stay with a man who beats her, leading the police similarly to decide that there is little that can be done about a domestic dispute.

I point out in this context that research shows that police intervention is effective in reducing domestic violence. That is evident if one refers to 'Intimate Intrusions: Women's Experience of Male Violence' written by E.A. Stanko and published by Routledge and Kegan Paul in 1985. Research cited in that publication also demonstrates that women, properly supported by the police, do not withdraw charges against their male partners. It is worth pointing out that, as the law stands now, police are in a position to pursue the perpetrators of domestic violence. The opposition supports this legislation which will give them more power to do so and certainly gives them the encouragement of this legislature to do so.

Before I turn to the bills themselves, let us look at the history of the legislation in other states. The Northern Territory - with the exception of Queensland where absolutely nothing is being done - has been the last to act in this regard. In New South Wales, reforms were introduced in 1983 which defined the range of offences which constituted domestic violence. A year earlier, in 1982, amendments were made in South Australia to the Justices Act to provide legal protection to domestic violence victims. Further amendments followed in that state in 1987. Similarly, in Western Australian, in 1982, there was provision in the Justices Act for orders to keep the peace. In 1986, a task force in that state recommended further change but I understand no further amendment has proceeded as a result. In 1986, in Tasmania, there were amendments to the Justices Act and there were further amendments in 1988 to streamline the processes established thereby. In Victoria, in 1987, the Crimes (Family Violence) Act was enacted which enabled victims and police officers to seek an intervention order for immediate and ongoing protection.

From this, it is obvious that other states and the ACT have taken the matter seriously and acted on it, often having to further refine and amend their legislation at a later date. I think that is a key point that is worth noting. While I am quite happy to say that the opposition supports this legislation, I believe it is important that, in the same way as we established a Police Powers Committee to monitor the operation of the investigatory detention powers, the government and this Assembly should monitor the operation of what is, in an historical sense, innovative legislation.

Although the investigatory detention powers were highly contentious whilst this legislation is not, I think there is a different reason for monitoring its operation. As a legislature, we should be interested in comparisons between how the 500 disturbances were dealt with in 1982-83 and how disturbances are dealt with in 1989-90. To what extent is the process of policing effective? How effective is Crisis Line in respect of the situations referred to it? To what greater extent are women and kids - and they are the obvious targets of domestic violence - further protected by these mechanisms?

There are very powerful reasons why this Assembly should be monitoring this legislation.

The federal Labor government, in particular, has taken initiatives in respect of domestic violence. The ACT has a specially-staffed unit which undertakes research and education in relation to domestic violence. Recently, a national education program was launched which is aimed at educating the community about the nature and effect of domestic violence. \$1.86m has been allocated to the 3-year project. The program is designed to ensure that the needs of women from non-English-speaking backgrounds, Aboriginal people, Torres Strait Islander communities and rural and remote areas are targeted. The program is in response to federal research which revealed that 20% of the population condoned violence within the private confines of the home. It is probably worth considering this for some time to ensure that we are all talking about the same thing.

The paper that I referred to earlier from the Legal Services Bulletin is entitled 'Domestic Violence: the Victorian Experience'. It is from the Domestic Violence Working Group and was prepared by the Federation of Community Legal Centres. It refers at some length to community attitudes. I think that it would be salutary for these to be drawn to the attention of honourable members. It quotes the figure of 1 in 5 people condoning domestic violence:

A recent survey shows that large sectors of the community condone domestic violence. Of those surveyed, 1 in 5 thought that it was acceptable for a man to beat, kick, hit or shove his wife if she did not obey him or failed to keep the house clean. Such violence was also considered justified if the woman refused to sleep with her husband or admitted she had slept with another man.

The survey of community opinions comes from an article in The Age of 9 March 1988. We need to be clear about what sort of domestic violence we are talking about. We are talking about situations in which people are in very real fear of danger to life and limb. I find it difficult to understand a community attitude that 1 in 5 people accepts that violence under those circumstances is acceptable. It would appear that the response of the federal government has been positive and perhaps the national education program has stimulated some action by this government. It would have been a little embarrassing for the government if federal information officers had been sent to the Northern Territory for the purpose of linking up with a program that did not exist and which had no legislative backup.

Let me turn to the bills themselves. Basically, a new division is to be added to the Justices Act. I think it is interesting that the definition of 'spouse' includes a spouse of the person according to Aboriginal tradition, a former spouse of the person, and a person of the opposite sex who is living or has lived with a person as if he or she were the spouse of the person although not married to the person. That is a pretty extensive list. Of course, it excludes other family members such as brothers and sisters and so on.

Proposed section 100AB makes provision for orders to keep the peace. I have studied those and I am satisfied that they do what they set out to do. Proposed section 100AC provides a means for obtaining orders by telephone. That order can be sought only by a member of the police force whereas an application under the previous section can be made not only by a member of the police force but also by a spouse against whom or against whose property the violence or behaviour, the subject of the application, is directed.

The next proposed section is probably the cutting edge of these provisions. It deals with the period between the time a member of the police force becomes aware that somebody is likely to suffer an attack and the time when that person, to use the phrasing of the bill, is 'in imminent danger of suffering personal injury at the hands of the person or an aggravation of personal injuries already sustained'. Under those circumstances, a member of the police is given a power to remove and detain while a telephone order is being sought. The opposition supports those provisions. Another proposed section deals with variations or revocations of an order and further proposed sections deal with penalties for the breach of an order and with some related matters.

There is an evidentiary provision in proposed section 100AG which allows the court or the magistrate to admit an act on hearsay evidence. I do not recall whether the Chief Minister discussed the implications of the acceptance of hearsay evidence. I suppose that the making of the original order, particularly a telephone order, has to be done verbally and, in those circumstances, the averment of the police has to be accepted.

In relation to the varying or revoking of an order, I question whether some sort of further corroboration might not be reasonable. However, that is not an issue that I would go to the wall on. The remaining 2 sections deal with indemnification of certain people. The pros and cons of those provisions have been dealt with and I do not intend to address them further.

Before I conclude, let me put in a plug for the crisis counselling services. I am sure that many honourable members will be aware of the work done by Crisis Line in this field. I believe that the money allocated to Crisis Line is inadequate for the task that it performs and I would urge the government to consider further funding for that important organisation which works at the coalface as far as this problem is concerned. I suggest that a 24-hour crisis service be staffed, based on the South Australian model.

As I have said, with respect to police attitudes, experience in the states indicates that, by itself, legislation is not effective in combating domestic violence. I would urge that consideration be given to the sort of training that is provided to police in this regard. Basically, there needs to be a commitment by police to act when a call is received. I receive many representations on this basis. Only this week, representations have been made to me in relation to a particularly sad case. The people who are in danger need to be reassured that they will be protected and that society has the resources to provide that protection. This is particularly important in a place like the Territory, especially in the urban areas where people do not have the support of extended families, which is available to many people in the more populous areas of the country. I ask that these provisions be monitored in that context.

Mr Speaker, in closing, let me indicate the opposition's strong support for this legislation. With what I trust the Chief Minister will regard as informed comment on the subject, I reiterate my call that the government monitor the new provisions. I conclude by saying that, although law enforcement is not the solution to domestic violence, the police have a duty to enforce the law, and the proper exercise of that duty is sometimes a matter of life and death for the women and the children involved.

Debate adjourned.

MOTION

Adoption of Proposed Conceptual Plans for a
New Parliament House in State Square

Continued from 16 February 1989.

Mr SMITH (Opposition Leader): Mr Speaker, at the beginning of my speech, I give the same disclaimer that the member for Nhulunbuy gave in relation to representation on this committee. The opposition has not changed its view that the whole State Square proposition is wrong and should not be proceeding. However, now that that decision has been made, as members of this parliament we have a clear responsibility to ensure that the interests of present and future parliamentarians are properly represented by our serving on the New Parliament House Committee.

I want to say at the outset that my experience as a member of the New Parliament House Committee indicates to me that the whole State Square concept is in a shambles. In fact, it is my belief, having served on this committee, that we do not have a State Square concept. What we have, in fact, is simply 2 buildings and, unfortunately, they have not been conceived with much relevance to each other. There is no plan that I have been able to see, no concept and no vision, in relation to a State Square. In other words, the whole State Square proposition was a sham, as many of us suspected from day 1.

The New Parliament House Committee was confronted with one building, the Supreme Court, which had been plonked down on the southern side of this building with no regard for the layout of the proposed State Square and no regard for the new Parliament House. What particularly annoyed me and other members of the committee was that the size and style of the Supreme Court had been determined in isolation, with no regard for the Parliament House. Those factors imposed significant limitations on the New Parliament House Committee and how it operated. The siting, size and style of the Supreme Court were very significant limiting factors in determining the design which is now before the Assembly.

The siting of the Supreme Court was determined with no regard for the siting of the new Parliament House. Its design was determined without reference to the award-winning design for Parliament House and, indeed, its siting made that design unworkable. The committee had to begin its deliberations virtually from scratch, rather than working from the design which had been selected from entries from all over Australia. The size and shape of the Supreme Court placed major limitations on the ability of the committee to carry out its work.

We were confronted with a Supreme Court building which had been designed without any reference to us. Essentially that building is a rectangular box with columns. It has no tropical influence and no relationship to its site. It has simply been plonked there. I understand that it is modelled on a building in Hong Kong or in some other ex-colonial outpost of the British Empire. It certainly bears no relationship to life in the Northern Territory. The fact that it was designed without reference to the New Parliament House Committee meant that we started with some severe design limitations in terms of what we could put in our building.

First of all, we had to design a building which would be the paramount building in this whole complex. There is no doubt that the Parliament House has to be the major building. That meant that we were committed to a high-rise building - what has turned out to be a 4-storey building - whether

we liked it or not. Any honourable minister with a little imagination would realise that there are other ways of designing parliament houses. We had to build something that was in sympathy with a Supreme Court building which did not relate at all to the environment. In other words, we have been restricted to building something that is in sympathy with a rectangular box with columns. That imposed very severe limitations on the way that the committee had to operate.

As well as the problems posed by the Supreme Court building and the lack of consultation with the committee in relation to its design, we also found that the concept of State Square was a joke. The committee had no guidelines to work with. It was presented with no drawings or suggestions as to what State Square might look like. The committee was asked to work in a vacuum because no idea was presented to it of what the State Square should look like and how Parliament House and the Supreme Court would fit into the overall concept. That is because, as became very clear, there was no overall State Square concept. All we had was a decision to put a Supreme Court building there and a new Parliament House somewhere over here.

In the end, the situation was so bad that the committee, of necessity, extended its brief beyond its terms of reference in order to present a view, which is contained in the papers, of what the State Square would and should look like. That was because no one else had bothered to do it. In the 9- or 10-month gestation period of the so-called State Square project, no one had bothered to take an overview. As I said, the State Square is a complete and absolute sham. Most of us knew that but, unfortunately, it had a very real and severe impact on the way the New Parliament House Committee went about its work.

The New Parliament House Committee started with a few basic principles. First of all, it was necessary for us to establish the necessary symbolic relationship between Government House, the Supreme Court and a Parliament House. The lack of planning in the whole State Square concept made that quite difficult. I believe, however, that we have established a satisfactory axis, an axis which recognises the separateness but interrelatedness of each of those 3 major areas. The committee's second task was to ensure that the Parliament House would be the pre-eminent building within the whole complex. I believe that, within the constraints imposed on us, we have succeeded in doing that.

Thirdly, we had to develop a building that was sympathetic to the site and, as much as possible, sympathetic to the climate. Of all the failures of the committee, the failure to design a building sympathetic to the climate is the most culpable one. We really do not have a building that is particularly sympathetic to the climate. Again, that is largely a reflection of the restrictions placed on us by previous decisions. As much as possible, the building is sympathetic to the site and takes advantage of it, with the major feature being the wonderful sea views that we will have on the western side of the building. Fourthly, we had to design a building that would meet the needs of the parliament now and in the foreseeable future. I think that we have succeeded in that.

Mr Speaker, I would like to comment particularly on some features of the building. I consistently expressed the view, and I am pleased to say that it had the support of all members of the committee, that the focal point of the building should not be the Chamber, the ministers' suites or the members' suites but the reception hall. A close look at the plans will indicate that the reception hall is in fact the centrepiece of the ground floor. It runs

almost the entire length of the building and ends facing the sea with about 7 m of glass walls overlooking the water. If it passes through this stage, that hall has the capacity to become a community focal point. It has the capacity to be the people's hall of the Northern Territory. One of the aims of the committee has been to develop a building that will be used not only by parliamentarians but will also be a well-used community focal point. The reception hall is the key to that. It is important, right throughout this design exercise, to ensure that it remains the key and is given the best possible treatment so that it becomes the most attractive and most used part of the building.

Members of the committee were very conscious of the need to interrelate functions. Unfortunately, we could not put everything on the ground floor although we did spend some considerable time trying to do that. I am happy that, within the constraints imposed on us, the main functions have been well related. The Chamber, of course, is next to the reception hall. The library is also on the ground floor. That is a relevant and valid interrelationship. The members' offices are grouped on the top floor and we have the capacity there to build additional offices to cater for extra members of parliament.

Mrs Padgham-Purich: We don't need any.

Mr SMITH: It is easy to say that we do not need any but, hopefully, this building will last a considerable time. We also were conscious of the need to take account of the sea aspect, as I have already stated, and I think the job has been done reasonably successfully.

What we have is the design for a well-planned and functional building. It is certainly not an exciting building. It will certainly not attract the same sort of attention as the Parliament House in Canberra has. It certainly will not win any major architectural awards. It is, however, functional and I believe that it will provide for the needs of the parliament of the Northern Territory on an extremely adequate basis over the next 50 to 100 years.

I conclude, Mr Speaker, by saying that it could have been much better. It could have worked much better if the whole process had been a planned exercise. It could have worked much better if the New Parliament House Committee had been involved in the beginning in the development of the site and in the discussions with project management on the development of the Supreme Court building. That was not done and I think the site and Parliament House and, ultimately, the people of the Northern Territory will be the losers.

Quite clearly, the New Parliament House Committee, with the suggested amendments to its terms of reference, has a major task to pursue. I had not quite realised the extent of that task until I saw the shambles that we were faced with when we started the job. I am sure that this major task will be undertaken well on behalf of the parliament by the present members of the committee.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, my remarks will be reasonably brief. I find myself in a bit of a cleft stick in speaking on this subject today because I have frequently stated my view and the view of many of my constituents that the government is investing money in the wrong sort of buildings. If the government has to encourage the building industry, it would have been far better off encouraging decentralised primary industry in the Northern Territory. Not only would that have resulted in jobs in the construction phase, which the honourable ministers opposite have spoken about

at length, it would also have provided future jobs for young people in the Territory. We would also have gained expertise in various fields of learning in different parts of the Northern Territory. Where buildings were erected to encourage private industry, more people would decide to reside permanently in the Territory. It would have done far more for the development of the Northern Territory than this so-called State Square development.

Nevertheless, it is a fait accompli. A decision has been made that the construction of a new Supreme Court building and a new Parliament House will go ahead. I am rather confused. I was interested to hear the Leader of the Opposition speak because he seems to be suffering from the same confusion even though he is on the committee. As I am not part of the ruling government party, I could only form my views on the basis of the media presentation. As I understand it, a special committee of the Legislative Assembly was established to deal with the building of the new Parliament House. On the other hand, we had the Chief Minister of the time making very grandiose statements such as: 'We shall have a Parliament House'. It was the sort of statement that one makes when one is on the battlements waving flags such as was depicted in many paintings after the French Revolution. I have several concerns, not only about the Parliament House but also the other building. However, in this debate, we are talking only about the new Parliament House.

In the papers presented to us, it was stressed time and again that financial constraints were operating in the building of this memento of the CLP government. I am concerned that these financial constraints could result in a rather cheap and nasty building. I know that it is a very fine line to tread but, if financial constraints are such that we will not have a building that is fit and proper for a Parliament House, we will have something less than a source of pride to the people of the Northern Territory and we will have it for many years to come. I would like to see an actual scale model of this State Square. We have seen architectural drawings of the Supreme Court building. I do not know if other members have but I certainly have not been offered the opportunity to see any similar drawings of the Parliament House. I have seen the papers that have been presented to us.

This new building, hopefully, will be of use to us for more than 20 years although, given the attitude of the government, a building is bulldozed after 20 years. We need to ensure that energy use in these buildings is economical. One of the ways one uses energy economically is by building according to the weather patterns and the climate. In the drawings presented to us, I did not see any extended verandahs which would give a tropical appearance and contribute to the economical use of energy.

I made a public statement when I received advice that the government or planners intended to install 20-watt fluorescent tubes. Savings would be had in terms of installation, replacement cost and maintenance and single 40-watt tubes would give greater luminosity. More lumens are emitted from one 40-watt tube than from two 20-watt tubes. I wrote to the relevant committee that is based in the Department of Mines and Energy. I know my information was correct but I do not know whether the planners, the architects or this committee will do anything about it.

Now that this building is to proceed, I suppose one has to accept it. Personally, I do not accept it with good grace and I do not think many other people are accepting it with good grace. It is no good the minister saying that it provides jobs in the construction industry. It will provide jobs in the construction industry but those jobs would have been far better provided in other parts of the Northern Territory.

Finally, I would like the minister to know that I examined the area of land that is actually in the precincts of the Assembly. Before any buildings are built, the planners or the New Parliament House Committee would do well to do the same. According to the information which I was able to gather, and without actually taking measurements, there is an area of land between the Nelson Building and this building which may not belong to the precinct of the Assembly. Although the Nelson Building currently is considered part of the precinct, I do not think that the land is part of the precinct. I would like the minister to examine that because it is no good building a grandiose building and then discovering deficiencies in respect of land tenure.

Mr SETTER (Jingili): Mr Speaker, I am very disappointed in the Leader of the Opposition. In fact, he has gone down in my estimation quite considerably. In his comments regarding the new Parliament House report this evening, he carried on and complained ...

Mrs Padgham-Purich: Carried on like a pork chop is the expression.

Mr SETTER: As the member for Koolpinyah has suggested, he carried on like a pork chop.

Mrs Padgham-Purich: I don't say he did but that is the expression.

Mr SETTER: He spoke about the new Supreme Court Building and how he believed that the siting of this building was limited by the fact that the Supreme Court had been 'plonked there'. I do not intend to go on about this issue for long, but I am disappointed for a reason. The Leader of the Opposition is a member of the New Parliament House Committee. He has attended numerous committee meetings, as we all have, and I cannot recall the concerns that he expressed here this evening being brought before that committee at all. What we have really seen is political grandstanding of the worst type. If he was really genuine about those concerns, he could have brought them to the committee and had them answered. He would not do that. He saved them up, or perhaps even made them up, for tonight's little event in the hope of a quick media grab. That is what it is all about. He is looking for the 6 am or 7 am news or the front page of the NT News tomorrow. If that is the trick he wants to play, that is up to him but I think it is very unethical of him to do that when he has had ample opportunity to express his concerns before the committee and has chosen not to do so.

As a member of the committee, I can confirm that we have spent many hours and sat through many long meetings considering the design of the building that has been laid before honourable members in recent times. The original design brief was interpreted by a previous committee into a conceptual design. This committee picked that up and started to work with it last year. We tossed it around, altered it and modified it to the extent that we have been able to achieve a reduction in area of something like 2500 m² on the design put forward by our predecessors. When that space-saving is translated into dollars, it represents a considerable amount of money. The building will be expensive enough and, the more floor space we can save without inhibiting the proper functioning of the building, the better. That is what we have done. As you know, Mr Speaker, considerable deliberation occurred in the process of removing 2500 m² from the total floor area of the building.

In order to achieve that space-saving, a number of facilities which were previously incorporated in the building have been deleted and I will quickly run through some of those. An earlier design included a patio or a verandah around the outside of the building. Whilst that is a very attractive feature,

it takes up considerable space. Space is also needed for floor areas, foundations, car-parking and so forth, and it is certainly at a premium. We also deleted from the original plan the theatrette and the area set aside for a future squash court and reduced the size of the foyer and adjacent rooms. We reduced the size of the government and opposition lobbies, together with members' offices and refreshment rooms. Considerable savings are required in these hard times when we have been tightening our belts, notch by notch, year after year - and who knows what will happen this year? We might have to tighten our belts by yet another notch. Every dollar we can save on this building is a dollar well saved.

The member for Koolpinyah expressed her hope that the building does not turn out to be cheap and nasty. Of course, that will not be the case. The savings have been made in areas where perhaps there was a little luxury. The areas which have been deleted will not affect the function of the building, and that is the important thing. The function will remain and some areas which may perhaps have been rather palatial in size have been reduced to more practical dimensions, and rightly so.

The member for Koolpinyah also said that she would like to see a scale model. There will be such a model when the exterior and interior design is a little more advanced. There is scope for some marginal changes in interior design, including alterations in partitions and other finetuning. It is important to understand that, whilst the plans are as detailed as we can make them at this stage, they are still conceptual plans. The scale model will come later, after further finetuning.

There is much to be done. That is why it is important for the committee's recommendations, as contained in 5.1, to be adopted. That is what will enable us to proceed to the next step. We have come as far as we can within the limits of our charter and our recommendations require the endorsement of this Assembly so that we can move through the detailed design process to eventual tendering, construction and completion.

Several designs were considered. In fact, a few weeks ago, we looked at 2 or 3 other options. Those options were not confined to the site of this Parliament House or the site which we have chosen for the proposed Parliament House. They took up a much larger area and took advantage of the foreshore situation with its beautiful cliff face and the area between here and the Administrator's Residence. For various reasons, it was decided not to proceed with those options but with the one that we have before us today.

It is important to note that, whilst we have reduced the building's area by 2500 m², there is still sufficient capacity within the building to cater for a total of 40 members. I take the point that it might well be a long time before we achieve that number but it is incumbent on this committee, and indeed this House, to cater for that number because this building will be standing on this site for the next century or more. As we move on to statehood and beyond, the number of members of the Legislative Assembly will eventually increase to around that figure of 40.

Mr Ede: More taxes, more politicians.

Mr SETTER: Mr Speaker, I will pick up that interjection about more politicians. If the member for Stuart would like to cast his mind back a couple of years to what his colleagues in the federal parliament did in terms of increasing the number of members of the House of Representatives, he will recall that it created some design problems in the new federal Parliament

House in Canberra. Some sections of the building had to be redesigned, at considerable cost. He might understand why we do not intend to fall into that trap. We are designing for the future and catering for up to 40 members. We do not want to come back in 5 or 10 years and have to modify this building to cater for additional members of parliament. There is no doubt that a time will come when the number of members will increase and that probably will happen sooner rather than later.

The last thing that I would like to do, apart from recommending to members that the House support and endorse the committee's recommendations, is to thank the staff who have assisted the committee. I refer to officers of the Department of Transport and Works, including staff architects and their assistants, the outside architects who have been brought in to assist us, and the staff of the Legislative Assembly, some of whom have sat with the committee and supported us in our deliberations. They have all made a considerable contribution in assisting us to reach this point and I believe that they should be given the total support and thanks of the members of this House.

Mr EDE (Stuart): Mr Speaker, I looked at the plans which were on display in the committee rooms. I had a look at the ministers' offices and saw that they were to be 60 m² in size. I thought that was fairly large but then I thought that perhaps ministers might locate permanently in those offices, as happens in the federal parliament and, therefore, that possibly was not quite so bad. I then had a look at the offices of the members and saw that their area was to be 52 m². That seemed to me to be a fairly large space to occupy for 28 days in every year. Of course, I realise that I will not be sitting in one of those because, as was pointed out to me, the building will not be completed for another 2½ to 3 years, by which time we will be in government. When that occurs, I want to ensure that we do not wear any of the odium for this building, as happened in Canberra when the Hawke government attracted some odium because of the new federal Parliament House, a project begun by the Fraser government. I thank honourable members opposite for their assurances that they will not criticise us on the completion of the building. I hope that they have it right and that we do not have to pick up any cost overruns because we have very important business to get on with and would not enjoy wasting time on a Parliament House.

I noted that the reception hall is bigger than this whole Chamber and the library is about the size of the existing one. I heard the member for Jingili patting himself on the back because we will go without the squash court and the theatrette. I did note, however, that the gym is still there, the non-members' lounge and dining-room are still there, along with the members' and guests' dining-room, the members' and guests' lounge, the members' lounge and the members' dining-room. Thus, the member for Jingili should not worry too much about the loss of the squash court and the theatrette. I am sure that, for the 28 days a year we spend in this place, life will be bearable.

When I got to that stage, all jokes aside, I began to feel rather ill. Members of the federal parliament have been accused, ever since they moved into the new building, of putting themselves into some sort of an airy dream world of their own, away from the realities of the world. Really, how far have we come from the realities of the Northern Territory when we are talking about spending this amount of money, have received plans and committee reports and are moving on to detailed drawings for a parliament of 25 politicians which sits for 28 days of the year?

Mr Manzie: What about the poor old workers during the rest of the year?

Mr EDE: Exactly. What about the poor old workers? What about the electricity bills which they have to fork up for? What about the problems they have in developing the economy and finding enough money to pay the taxes which will be needed to pay for this building, year after year? It really is sickening.

In going through the plans, I also noticed that the Chan Building had disappeared. I do not know whether it went into the underground car park but I noticed that it had vanished. The last remnants of the old post office wall will also disappear according to this plan. The old memorial to the bombing of Darwin also seems destined to be buried beneath the rubble.

Mr Finch: You should have been at the briefing, Brian.

Mr EDE: I was there actually, and that point was not made at all when I was there.

The point was made by the Leader of the Opposition, and it is true, that it will not be a tropical building. It will not meld at all with the Northern Territory scene. Once again, we have had to make compromises in order to blend in with the courthouse. It struck me as being an excellent example of a style of architecture which has come to be known around the world as post-colonial ugly. We do not know as yet what the Parliament House will look like externally. Certainly, the concept of having to spend money on it is pretty ugly, but we do not know as yet whether it will be lateral, vertical or whatever. All that will depend on what the structural engineers do to it. Certainly, it would appear that it does not have the making of a great building. Perhaps the honourable members opposite think that, because we have only \$40m or \$50m to spend on this, they could not make a great building. Great buildings are not made necessarily with great amounts of money. They are achieved with design, thought, blending into the environment and with due consideration of the needs.

I feel sorry that we are rushed because we are supposed to be looking after Warren Anderson or whoever it is at the moment; I have lost track. But, because we are looking after somebody, there is a great rush to spend all this money and we have come up with something that so far everybody has admitted is not a particularly good building.

I made a proposal earlier and I cannot see why we still cannot go back to it. I cannot see why we cannot reorganise what we have between here and the Nelson Building. If we were to remove the car park and develop that area into a central patio and parliamentary courtyard, and then open up the library so that it operated more in this direction, I am quite sure that we could very adequately carry on for quite a number of years in this place.

I know that it would be a bit hard when the government put in all the extra politicians that it is talking about. I am not sure about how many it is to be. It was talking about another half-a-dozen or so. I remind honourable members that the federal parliament managed in a temporary Parliament House for something like 60 years and the House of Commons in London, I believe, can seat only about 10% of its members at any one time. Whilst that might be pretty rough on the parliamentarians involved, they seem to manage and to get on with the business of government. Maybe they have better things to think about than their comfortable members' lounges, members' offices and so on.

I thank the honourable minister for finally giving us a look at what it is all to be about. I note that, when he introduced the report, he said that the project does not have the support of the people. At least he had the grace to be truthful in that respect. He said that the facilities here are inadequate, and there may be an element of truth in that. I believe certain things could be improved. However, the fact is that in large sections of my electorate and the electorates of many other honourable members, facilities are far less adequate than this Legislative Assembly building. It is an indictment upon us and to our great shame that we have placed our own comfort before the need to provide facilities in our electorates.

Mr TUXWORTH (Barkly): Mr Speaker, after listening to the Deputy Leader of the Opposition and some of his colleagues, I have not yet worked out why they did not submit a dissenting report because there is not much about the report ...

Mr Ede interjecting.

Mr TUXWORTH: I say that because, of all the comments they made, I do not think too many were in concert with the tone and tenor of the report relating to the new Parliament House.

The history of attempts to provide a new Parliament House for this legislature is rather chequered. In fact, I think attempts were made to improve the facilities back in the 1950s and the late 1960s. Over the years, the building has been modified quite considerably to take account of the expanded size of the House and the additional responsibilities of those in it. I do not believe, however, that anybody in his wildest dreams, even our forefathers of 1947 and 1950, would ever have believed that members of this parliament would propose that we need a Parliament House of the type envisaged, at a cost to the taxpayer that will be in the order of \$100m plus all the extra costs that will have accrued by the time we are finished. I say '\$100m' in the full knowledge that the courthouse represents part of that cost. The courthouse was lumped in with the project to give it some respectability.

The need for a courthouse is quite questionable, and I do not really want to enter into an argument about whether we should have a new one or not. We will have one because work has started already. However, to latch the courthouse on to the Parliament House in order to give the project a measure of respectability is really the height of cynicism. It is all rather strange when one considers that we now have the report tabled by the minister - a series of sketch plans that have been hung on the wall - without having any financial information whatsoever about the proposal. Contractors are out there digging holes although no contracts have been let and no tenders have been called. There is no formality about it at all. All we know is that we are in for a bill of \$100m plus the cost of servicing the capital. It is all very well to say, 'What about the poor workers?' or 'Let's give the builders a go'. The builders deserve a go like everybody else, but they do not deserve to live for the rest of their lives and travel around the world at the expense of future generations of Territory taxpayers, and that is about what we are helping them to do.

Mr Speaker, I would like to put a proposition to honourable members. In 1981 or 1982, when the new federal Parliament House was proposed at a cost of \$250m, that was regarded as an absolutely unbelievable sum to be spent on 160 members of the House of Representatives and about 60 Senators. It was considered that the government must have taken leave of its senses even to

think of such a thing. By the time the project was finished, the cost had escalated to \$1000m or so to accommodate only a few more members than were originally planned for. As members know from moving around their electorates, people are horrified at the amount that was spent on it.

The Northern Territory has a population of 150 000, give or take a few, and our 25 members of parliament sit for 30 days a year. Nevertheless, we are about to spend \$100m. Whatever we may think of that and whatever justification members opposite may like to give for it, people outside the Northern Territory think that it is the height of irresponsibility and that we are lunatics. In addition, we intend to do it with 'their' money. People do not perceive it as the Northern Territory spending 'its' taxpayers' money. People outside the Northern Territory, particularly other politicians, see the Northern Territory as spending 'their' money.

In terms of the credibility of the Territory, there are plenty of things that we can do. We can fly pretty high and have all sorts of programs that we think will advance the Territory, promote our cause and give us growth, development and population. Generally, people outside the Territory's boundaries are pretty generous in terms of how they fund us, and how they have been funding us, and what they allow us to do with that money. However, there comes a time when even the most generous people outside the Northern Territory start to look down their noses and say: 'This is going too far. You fellows have no sense of proportion or responsibility. Our country has problems with its overseas debt, the value of the dollar, inflation and unemployment but the Northern Territory government wants to spend \$100m on a Supreme Court for 6 or 8 judges and a Parliament House for 25 politicians who, at best, would sit for 30 days a year'.

Mr Speaker, I am sure you have raised this with honourable members in other parliaments who have the same political persuasion as yourself or myself. It is very difficult to find a conservative politician anywhere in Australia who believes that, in relation to this building, we are doing anything within the bounds of reason. They think it is an outrage, and they think we should have our toes cut off because they know that we are not spending 'our' money. We are spending 'their' money, and they are about to have a fair say about it.

It happens that we have to approach a whole range of forums to obtain money for the Northern Territory. There are the Premiers Conference and other ministerial conferences wherein we have to fight and scrabble with everybody else for a share of the financial cake. When those people look around the table and see the Northern Territory embarking on building projects of this nature ...

Mr Hatton: With the approval of the federal Treasurer.

Mr TUXWORTH: With the approval of the federal Treasurer! The federal Treasurer did not just see these guys coming, he sent for them. It must be the greatest political set-up of all time, and the government has walked into it. When people down south see this sort of thing, they do not have any sympathy for the Territory, and they do not have any good will towards funding important programs for us such as BTEC, public housing or whatever. The attitude is: 'If you have money for this sort of thing, you have money to burn, and you can whistle Dixie if you want any more'.

The honourable minister knows my feelings about the building quite well, and I am taking the trouble to put them on the record tonight so that there is

no mistake. Whatever people outside the Territory think, and they are pretty cynical in their views of what we are doing inside the Northern Territory's borders, people inside the Territory think it is an absolute scam. We are talking about fellow citizens who are earning \$200, \$300 or \$400 a week. They are having a great deal of difficulty paying their bills, and I say to the honourable minister that it is no news that there are 8000 home purchase loans out and 2700 of them are in arrears. That ought to give a pretty clear indication of the state of the economy and the people who are passing judgment on it. They look at the government undertaking this sort of project for itself and they want to know why they should bother to go to work to pay for it with their taxes. They cannot see any justice in the system. We come in here, use the building for 20 or 30 days a year and go back to our electorates.

Mr Manzie: What about the staff?

Mr TUXWORTH: Well, Mr Speaker, what about the staff? I too have a deal of sympathy for the conditions in which the staff have to work and, in recent years, the staff's conditions have improved considerably. There are all sorts of things we could do to ensure that they have satisfactory accommodation without having to spend \$100m.

Mr Manzie: What about the demountables we moved only last year?

Mr TUXWORTH: Mr Speaker, the honourable minister can continue with these inane interjections about demountables. Nobody is suggesting for a minute that we should return to those days, but it is not necessary for Territorians to fork out \$100m for the staff of this Assembly, for the members of the Assembly or for anyone else. I say again that people outside think it is an absolute scam. No public tenders have been called, no provision has been made for local business people to obtain a piece of the action and no information is available about the financial arrangements that our children and our grandchildren will have to pay for. It is simply pie-in-the-sky.

I would welcome any information at all that the Minister for Transport and Works may like to table about the financial arrangements: the loan borrowings, the rates of interest, draw-down times, the construction phases, the contractual arrangements and the commitments of the government and the contractors themselves. Such information is not publicly known at the moment and people would like to hear it.

Mr Manzie: It is not true.

Mr Dale: But nothing he says is true. You have to allow for that.

Mr Manzie: New Age thinking.

Mr TUXWORTH: I am not the least bit fazed by the criticism and the interjections from the other side. I say to honourable members: 'Go for it, make it a good job and enjoy it. It will not last forever'. The whole thing is an absolute scam and, if you do not believe it, Mr Speaker, walk around any electorate in the Northern Territory and the people will tell you that that is what they think of it.

Mr Finch: I do a fair bit in your electorate, actually.

Mr Coulter: Is that it?

Mr TUXWORTH: That is it!

Mr REED (Primary Industry and Fisheries): Mr Speaker, I want to make a few quick comments. The Leader of the Opposition said that the committee had no input into the Supreme Court building. That does not surprise me because its terms of reference make no mention of it. He said also that the building would not win any major architectural awards. My response is that I hope that it does not. I do not know whether I am out of touch with architectural design in these times, but it seems to me that most of them are the most awful looking buildings one could ever come across. If one looks at some of the buildings and structures around Australia that have won major architectural awards, it is clear that some of them leave a bit to be desired. I would like to see the design focus on function and the purpose for which the building will be used.

Although she opposes the whole project, the member for Koolpinyah was concerned that the building might not be grand enough. That is somewhat of a contradiction in terms but we live with that sort of thing from day to day. We have a committee that seems to be hardworking and we can depend on it to arrive at a design that is pleasing to the eye, functional and aesthetic. I believe that the building will become a focal point of the Territory, just as the new Parliament House in Canberra has become a focal point of Australia in parliamentary and governmental terms. There was considerable criticism of the cost of that new Parliament House, but I was interested to note, whilst I was there in January, that bus loads of people were visiting it. There were very few unfavourable comments about the building. The building has been very well received and I believe that the new Parliament House in the Northern Territory will be the same. I hope that it instils in the people of the Northern Territory a similar sense of pride to that which the new Parliament House in Canberra instils in Australians who visit it.

In responding to the member for Barkly's comments about criticism from elsewhere in Australia and how we will be seen as a joke, I simply point out that he has already set the precedent. Years ago, when he was defending his salary, he had nothing better to say than: 'I am worth every penny of it'. We all thought that perhaps there were a few people at that time who would question that. He talks about justice in the system even though he had his hand in the TA bucket. He has the hide to stand in this House on a daily basis and tell us about justice in the system!

With those few comments, I indicate my support for the building and congratulate the committee for the work that it has done. I look forward to sharing the facilities in the new Parliament House with other members and the staff.

Mr FINCH (Transport and Works): Mr Speaker, in respect of the report, one member claimed that we were extravagant with space and another that we were a bit lousy with space. However, on balance, given the absence of any constructive criticism of the report, the design or the size of the building, I note that there is general consensus and I am pleased to say that I expected that. Naturally enough, I expected some diversionary comments regarding State Square itself.

I will address very briefly the comments in relation to the State Square concept being in a shambles. There is no great divergence from the original State Square concept as proposed by the project manager, Tipperary Developments. Basically, the location, size and extent of the buildings have been retained. The recommendations of the New Parliament House Committee

propose some minor changes that the government is happy to take on board. There are some changes to the original style proposed by the project manager. It is fair and reasonable that the New Parliament House Committee should have the opportunity to have a say in respect of the style of building it believes to be appropriate.

In relation to the comments by the Leader of the Opposition regarding the Australia-wide design competition, I point out that the committee paid due regard to the top 6 entries in that competition. It was not talking about restrictions of space at that stage because, quite appropriately, nobody on the committee was looking at the overall State Square plan. Its brief was to look at the Parliament House itself.

There has been debate about the building proposal put forward by the project management team but an appropriate end result has been achieved. Despite the member for Stuart's lack of confidence, I ask him to be patient, to wait for the design development phase to be completed and to place some trust in the architects of the Department of Transport and Works and others who will eventually be working on the project. I cannot believe for a minute that their product will be inferior in style or in quality.

This building is not a cheapie, as was intimated by one honourable member. Our first task was to establish the appropriate areas for a Parliament House regardless of cost. It was the general consensus of the committee that we should not be aiming at extravagant space. The actual cost per unit area provided preliminarily by the government is most generous. It will not be an excessively flash building in terms of its area but it will certainly not be inferior in quality. The various processes that still have to be undergone are probably just as important as the procedure that has led to this report.

In regard to some of the very minor matters raised by the member for Stuart, I advise that the Chan Building will remain for a long time as a computer centre or whatever. Memorials are to be taken into account, as the architect stated at the briefing.

Most of the other comments related to the project manager and the government's decision to proceed with the overall scheme. We are quite happy to accept the responsibility and, of course, the ultimate credit for the work. I need to emphasise again that the payment to Tipperary Developments is merely 3.75% of the total value of the works. Aside from the construction manager's fee, which amounts to 3.3% and incorporates local involvement through Norbuilt and Multiplex, all other works already have gone out or will go to tender through ISO and various others so that every qualified local contractor or supplier will have a fair go. The tender system will be open to scrutiny. It has to be because government money is being used. Thus, 90%-odd will be going directly into local pockets unlike any other major building of this kind ever built in Australia. There is no other building that returns as much to the local community as these 2 buildings will. I believe that parliamentarians will be very proud that there is almost a 100% guarantee that all the materials that will go into Parliament House will be Territory materials and its workers will be Territorians. A feature of this place in future will be its use of local materials.

The member for Barkly is a bit worried about office space. He ought to be. He has the largest electorate office in the whole of the Northern Territory. Of course, when one occupies the position of Chief Minister, one has the power to shuffle around offices and so forth. His totally incorrect allegation about there being no tenders will go on the public record and will be easy to throw back at him.

The member for Barkly said that he did not understand why there was no dissenting report. There was consensus in the committee that we would put our efforts into the task at hand rather than the merits or otherwise of the government's decision in relation to State Square. This government is happy to accept the responsibility for that decision. We will run on it at the next election and make plenty of mileage from all of those people who will have had jobs because of it. I am not sure how many members of this House will still be here by the time the building is completed in 2½ or 3 years' time but those of us who definitely will be here will appreciate the very good work done by the committee.

Motion agreed to.

MOTION

New Parliament House - Declared Design and Construction Stages

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

- (1) the following be declared stages in the design and construction of the new Parliament House:
 - (a) design development;
 - (b) detailed architectural documentation; and
 - (c) interior design, including:
 - (i) approval of proposals;
 - (ii) approval of documentation; and
 - (iii) final acceptance of fit-out and finishes;
- (2) work shall not be commenced or carried out on a declared stage in the design or construction of Parliament House unless the New Parliament House Committee or one of its subcommittees has passed a resolution authorising the commencement of the work on that stage; and
- (3) the New Parliament House Committee shall report any such authorisation to the Legislative Assembly when the Assembly next meets.

Mr EDE (Stuart): Mr Speaker, I must admit that I did not have notice of this motion. I would have expected it to contain some reference to budgetary limitations and the need to undertake full budget processes so that the committee is constrained by those factors. Being a resolution of the parliament, this will carry a great deal of weight and perhaps one of the members opposite can explain how we can deal with that problem. Can we include a reference to budgetary processes by way of amendment or can we adjourn this debate and come back to it tomorrow?

Mr Coulter: The wording has been agreed to by the Leader of the Opposition. I realise that he is not here at the moment and your opinion may be different.

Mr EDE: Do you want to stand up and speak?

Mr Speaker, we on this side of the House have consistently opposed the new Parliament House. Honourable members opposite may have decided to deliberately misunderstand the role being taken by the 2 opposition members who have remained on the New Parliament House Committee. They have stayed there very deliberately and they have made their position very clear. They are opposed to the State Square development. The only reason they remain on the committee is to act as honest brokers, given that the government is using its numbers to ram this proposal through. Their role is to try to keep some sanity in the whole matter.

Mr Speaker, I would like an honourable member opposite to point out how we can give a committee the power to make expenditures when those expenditures have not been voted on by this parliament. The report which we have just noted did not even mention the total amount of dollars involved. Are we going to give an open-ended commitment, no matter how many millions of dollars are involved?

Mr Coulter: Read it.

Mr EDE: The motion says that 'work shall not be commenced or carried out on a declared stage in the design or construction of Parliament House unless the New Parliament House Committee or one of its subcommittees has passed a resolution authorising the commencement of work on that stage'. Such a subcommittee does not have to include a member from this side of the House. Government members only could provide the authorisation. That is an abuse of parliament and I think that it should be addressed before we pass this resolution.

Mr BELL (MacDonnell): Mr Speaker, I rise to ...

Mr Setter: He has been jogging again.

Mr BELL: Yes. In fact, I have been jogging. Since the member for Jingili chooses to allude to the fact that I have been exercising my body around both the pleasant and the unpleasant precincts of Darwin, let me remind him that this end of Darwin is one of its more pleasant areas. I jog quite frequently as far afield as my ageing body will carry me which, occasionally, is as far as Stuart Park and even Myilly Point. I will say that I usually find jogging around this particular precinct quite pleasant. I will come to the nub of this issue in a moment. It is germane to the motion put forward by the Minister for Transport and Works. I find, Mr Speaker, that jogging around Myilly Point is rather less equable ...

Mr PALMER: A point of order, Mr Speaker! The member for MacDonnell is not addressing the motion before the House. The motion is quite clear and specific and the member for MacDonnell should address his remarks to it.

Mr BELL: Mr Speaker, in speaking to the point of order, I will say that I appreciate that the member for Karama is a man of fairly shallow intellectual capacity. If he will allow me a couple of minutes to develop my argument, I think that he will find that it is precise and germane to the motion moved by the honourable minister.

Mr SPEAKER: There is no point of order but I ask the member for MacDonnell to address his remarks directly to the motion before the House.

Mr BELL: Mr Speaker, I will state my argument very simply and succinctly. The motion refers to very specific processes for the development of the

Parliament House. Unfortunately, the development process for Myilly Point has been far less precise.

Mr PALMER: A point of order, Mr Speaker! The member for MacDonnell again raises the issue of Myilly Point, which has nothing to do with the motion before the House.

Mr SPEAKER: There is no point of order but, again, I ask the honourable member to direct his remarks directly to the motion before the House.

Mr BELL: Mr Speaker, for the benefit of the member for Karama, I am saying that the effort that the ...

Mr Dale: You are an ignorant git, Neil.

Mr SPEAKER: Order! The Minister for Health and Community Services will withdraw that remark.

Mr DALE: I unreservedly withdraw that remark, Mr Speaker.

Mr BELL: I think the Minister for Health and Community Services was lucky that I did not hear his remark.

Mr PALMER: A point of order, Mr Speaker! The member for MacDonnell cannot cast such aspersions.

Mr SPEAKER: There is no point of order.

Mr BELL: Mr Speaker, I will return to a more normal tone of voice. I appreciate that there are a couple of government members who react like schoolboys when their interjections and absurd points of order are drawn to their attention.

I came to my main point rather earlier in my comments on this motion than I had intended simply because the member for Jingili referred to my jogging. I have noted the considerable effort to which the Minister for Transport and Works has gone in putting before the House a motion to declare stages. I can imagine the scene in the Cabinet Room, Mr Speaker, with the Minister for Transport and Works working himself into an eager frenzy of concern: 'Listen, blokes! How can I make a bigger splash in the parliament during these sittings?' At that stage, Mustachio Pete would have come in: 'Declare the stages, Fred!' The minister would have been delighted: 'What an excellent idea! I had not thought of that'. Mr Speaker, you have been a member of this Assembly for almost 15 years and you can see how their minds work. How many of the extraordinary number of public works projects which have proceeded in that time, particularly in the 10 years since self-government, have been the subject of a motion to declare stages? The boys are really scraping the bottom of the barrel now.

Mr Speaker, my point is that the zealous attitude of the government in this case offers a stark contrast to the way in which it has dragged the chain in relation to Myilly Point where its hands are tied because of the debts it owes to Henry and Walker.

Mr MANZIE: A point of order, Mr Speaker! The member for MacDonnell has made a totally untrue insinuation that the government owes some sort of debt to Henry and Walker. I ask that you direct him to withdraw it.

Mr BELL: Mr Speaker, speaking to the point of order, and noticing that the minister has a very red face ...

Mr Manzie: That is preposterous.

Mr BELL: Methinks he doth protest too much.

Mr Manzie: Give us some facts!

Mr BELL: Perhaps I ought to inquire as to what those debts are. Debts, of course, do not have to be monetary debts. They may be debts of loyalty or debts of political patronage or debts of any form whatsoever.

Mr Manzie: You are a coward.

Mr BELL: I simply said that this government has debts to Henry and Walker.

Mr Manzie: What are they?

Mr SPEAKER: Order! The minister referred to the member for MacDonnell as a coward. I ask him to withdraw that reference.

Mr MANZIE: Mr Speaker, I withdraw.

Mr BELL: Mr Speaker, I am rather surprised at the reaction from the Minister for Lands and Housing. Perhaps there is rather more to the Myilly Point issue and the relationship between this government and the Henry and Walker group of companies than we have ever given thought to.

Mr MANZIE: A point of order, Mr Speaker! The member for MacDonnell has strayed completely from the subject of the debate and has insinuated that there is some improper relationship between the government, and myself in particular, and a company. The accusation is a denigration of myself and the government and has absolutely no basis. I ask the honourable member to withdraw that allegation or to substantiate it.

Mr BELL: Mr Speaker, I was about to speak to the point of order and to do exactly that. I withdraw any imputation that there may have been any individual or personal relationship, characterised by financial obligations on either side, between the minister and the Henry and Walker group of companies. I do so unreservedly. Mr Speaker, I believe that I have withdrawn in appropriate terms.

Mr MANZIE: A point of order, Mr Speaker! The imputation extended beyond financial considerations. It insinuated that there was some impropriety or debt in broader terms and the withdrawal should extend beyond purely financial terms.

Mr EDE: Mr Speaker, speaking to the point of order, I was listening closely and the member for MacDonnell very clearly stated, when the honourable minister interjected after the discussion about the financial issue, that the debts did not have to be confined to financial matters. There is no way in the world that the inference that the honourable minister has drawn from these remarks could be sustained.

Mr SPEAKER: There is a point of order. In fact, a former Speaker of the House of Representatives, Speaker Snedden, ruled on one occasion that an

imputation against a government is, in fact, worse than an imputation of impropriety against an individual member. I ask the honourable member for MacDonnell to withdraw directly the reference that he made earlier this evening.

Mr BELL: Mr Speaker, I withdraw any imputation that there is an improper relationship between the CLP government and the ...

Mr PALMER: A point of order, Mr Speaker!

Mr SPEAKER: That is all right. The honourable member for MacDonnell.

Mr BELL: Go back to the bar, will you Mick.

Mr SPEAKER: Order! The member for MacDonnell will withdraw that, and the honourable member for Karama will resume his seat.

Mr BELL: I withdraw unreservedly any imputation that there is an improper relationship between the Henry and Walker group of companies and any of its agents and the CLP government.

Mr DALE: A point of order, Mr Speaker! I am sorry, Mr Speaker. However, despite the frustration of all members at the moment, I have sat and waited for an appropriate time. The member for MacDonnell, during the time that you were deliberating on a point of order, interjected quietly but loud enough for me to hear: 'I was not insinuating that you were having it off with them'. The tone of this House has been lowered to an unacceptable level by the honourable member opposite on many occasions and I ask that he be directed to withdraw that comment.

Mr SPEAKER: There is a point of order. I ask the member for MacDonnell to withdraw that remark as well.

Mr BELL: Mr Speaker, when he came to Britain, Caesar said: 'Veni, vidi, vici'. I will do exactly the opposite. I withdraw, I withdraw, I withdraw unreservedly.

Mr Speaker, I cannot support the motion. At this time, I cannot support the construction of a Parliament House. I will be quite brief. The government members are quite tetchy and hypersensitive to the smallest suggestions and therefore I will not run the risk of pushing them any further. Mr Speaker, I simply draw to your attention some of the questions of public expenditure that have already exercised the minds of members of this House, particularly members of the opposition. I draw the attention of the Minister for Transport and Works and his Cabinet colleagues to the problem of the provision of decent psychiatric services ...

Mr PALMER: A point of order, Mr Speaker! This has nothing to do with the motion before the House.

Mr SPEAKER: There is no point of order but, again, I ask the member to relate his remarks directly to the motion.

Mr BELL: I will relate them directly to the motion, Mr Speaker. As the member for Stuart said, the motion does not even bother to refer to sums of money. However, as any 5-year-old child would know, let alone any Year 12 student in economics, when you spend money on a Parliament House, you will have to cut back expenditure on other services. My argument is that I am not

prepared to see certain other services cut back in order to see this building built in this way. I am about to tell members what some of the services are.

Mr Dale: Not true.

Mr BELL: I will tell you what is true.

Mr Dale: No, tell us about the ...

Mr BELL: You will drive me mad, boyo!

Mr PALMER: A point of order, Mr Speaker!

Mr SPEAKER: Order! The Honourable member for Karama will resume his seat. I ask the honourable member for MacDonnell to withdraw that remark.

Mr BELL: Mr Speaker, I withdraw the remark unreservedly, but I ask the Minister for Health and Community Services and a few of his running mates to cease provoking me. My contribution might have taken 5 or 10 minutes. He has extended it to 15 minutes and I did not intend that. Given the lateness of the hour and our Standing Orders Committee arrangement in relation to a 6 o'clock adjournment, his chance of getting a couple of bills through on urgency tomorrow are not looking too flash.

Mr Speaker, the guts of it is that I am not prepared to see a Parliament House built until certain services are in place. I will give members the shopping list in short, easy terms that even the knuckleheads in the government might be able to understand. There should be decent, humane, safe psychiatric facilities around the Territory. There should be a basic wage for every Territory family. There is not at the moment. There should be adequate human resources in our schools. We have had debates in this House in these sittings, but we cannot obtain decent teaching staff in our schools because the mug Minister for Education ...

Mr SPEAKER: Order! The member for MacDonnell will withdraw that reference. I have let one go.

Mr BELL: I withdraw, Mr Speaker. The mentally-deficient ...

Mr SPEAKER: Order! The honourable member for MacDonnell will withdraw that reference.

Mr BELL: The Minister for Education, whose intellectual ...

Mr SPEAKER: Order! The honourable member will withdraw that first reference.

Mr BELL: I withdraw that reference, Mr Speaker.

The Minister for Education's intellectual capacities leave everybody in the Territory wondering whether he has any. He disturbs the schools of the Territory by knocking off staff members a day or two before the terms finish and wonders why people have no confidence in the schools. That is another part of the shopping list.

Another part of the shopping list has been spoken about by the member for Stuart: a cup of decent water for a few people in the Territory. There are people in third world countries who are better off than some Territorians, and here we have this pompous mob of fools ...

Mr SPEAKER: Order! I have been more than tolerant with the honourable member. He will withdraw that remark.

Mr BELL: Mr Speaker, I withdraw the imputation that they are fools.

This pompous pack of people, sitting in an ivory tower, are so isolated from Territorians, black and white, that they are prepared to be stampeded by a Sydney developer into some pie-in-sky development that we do not really need, despite those screaming needs in the community. They do not deserve to be in government. Fortunately, there is relief around the corner because they will not be in government for much longer.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, members can take out their ear plugs now. Mr Speaker ...

Mr Bell: Sarcastic bitch!

Mr COULTER: A point of order, Mr Speaker!

Mr SPEAKER: Order! I heard the honourable member for MacDonnell's remark. He will withdraw that reference. I advise the honourable member that I have been more than tolerant. Any continued use of derogatory remarks will result in the honourable member being named.

Mr BELL: Mr Speaker, I withdraw unreservedly.

Mrs PADGHAM-PURICH: Mr Speaker, I will not speak for very long. The motion presented by the minister, as far as it goes, would receive my support but it does not go far enough. I agree with views expressed by the opposition speaker in respect of the expenditure of public money. Given the extent of public funding involved in this project, there must be proper accounting at each step and it is appropriate that the public be made aware of that. It seems that the open-cheque mentality of the government on this particular project is getting a little out of hand. If you are spending your own money on something, you are pretty careful how you spend it and you undertake proper accounting procedures at each stage of a project. In this motion, there is no mention of public accounting. Because it makes no mention of that, I will be voting against it even though I agree with it as far as it goes.

Not only do things have to be right, they must be seen to be right. If this were presented to a person in the Mall at lunchtime tomorrow, he or she would say what I am saying, and in roughly the same words: 'How much will it cost?' Until recently, we have had some very rubbery figures. At no time has this House been informed of the actual cost in hard cash. Like Caesar's wife, I believe that something as important as a new Parliament House must be completely above suspicion. I am not implying that the honourable minister is pulling a shonky on us, but we need to know how much the project will cost. From the way this motion is presented, we cannot see how much anything will cost. Because of the lack of detail in the motion, I will not be voting in favour of it.

Mr PALMER (Karama): Mr Deputy Speaker, I listened with interest to the contribution from the member for 'MacDonald' in relation to the motion moved by the Minister for Transport and Works ...

Mr Bell: There is only 1 'd' in MacDonnell.

Mr PALMER: Mr Deputy Speaker, let me read a couple of paragraphs from the 'Report on Proposed Conceptual Plans for New Parliament House in State Square'. Firstly, I will read from the introduction, and these shilpits and snollygosters across the road will move out of the House ...

Mr COLLINS: A point of order, Mr Deputy Speaker! I think that is an unparliamentary term and should be withdrawn.

Mr PALMER: Mr Deputy Speaker, I would ask what is unparliamentary about shilpits and snollygosters?

Mr DEPUTY SPEAKER: Are you speaking to the point of order?

Mr PALMER: Yes.

Mr DEPUTY SPEAKER: There is no point of order, but I suggest that the member for Karama be a little more selective with his words and less inflammatory.

Mr PALMER: I was referring to the snollygosters who masquerade as the opposition from time to time. Mr Deputy Speaker, let me read from the introduction to the 'Report on Proposed Conceptual Plans for a New Parliament House in State Square'.

1.1. On 28 April 1987 the sessional committee known as the New Parliament House Committee was reappointed with the following membership: Mr Speaker, Mr Firmin, Mr Lanhupuy, Mr Leo and Mr Setter. On 17 May 1988, Mr Firmin was discharged from further attendance on the committee and the Minister for Transport and Works, Hon F.A. Finch, was appointed to the committee in his place. On 25 May 1988, Mr Lanhupuy was also discharged from further attendance on the committee and the Leader of the Opposition, Mr T.E. Smith, was appointed in his place.

Mr Deputy Speaker, I have established the credentials of that committee. From the same report, a report to which the Leader of the Opposition has lent his weight, I will read a recommendation:

5.1 Your committee recommends: ... (c) that, by separate motion, the Legislative Assembly declare appropriate stages in the development of the New Parliament House and that work should not be commenced or carried out on a declared stage unless the New Parliament House Committee passes a resolution on the commencement of that stage. (For the wording of the proposed motion, see paragraph 3.9).

I will turn now to paragraph 3.9. I will omit the preamble:

'That -

(1) the following be declared stages in the design and construction of the new Parliament House:

- (a) design development;
- (b) detailed architectural documentation; and
- (c) interior design, including:

- (i) approval of proposals;
- (ii) approval of documentation; and
- (iii) final acceptance of fit-out and finishes;

Mr Ede: What are you talking about?

Mr PALMER: What I am talking about is that the first paragraph of the motion moved by the Minister for Transport and Works and the first paragraph of the recommendation of the New Parliament House Committee are identical. One of the persons who made what this parliament can accept as a unanimous report was the Leader of the Opposition, not the honourable, permanent Deputy Leader of the Opposition.

Paragraph (2) of 3.9 of the committee's report reads: 'Work shall not be commenced or carried out on a declared stage in the design or construction of the Parliament House unless the New Parliament House Committee or one of its subcommittees, has passed a resolution authorising the commencement of the work on that stage; and'.

Mr Deputy Speaker, I shall read from the motion of the Minister for Transport and Works ...

Mr Ede: You cannot read, Mick.

Mr PALMER: ... in order to clarify it for the honourable imbecile opposite. 'Work shall not be commenced or carried out on a declared stage in the design or construction of Parliament House ...

Mr EDE: A point of order, Mr Deputy Speaker! The honourable member used an unparliamentary word. I request that he be asked to withdraw it. Isn't silence golden!

Mr PALMER: I unreservedly withdraw, Mr Deputy Speaker.

Mr Deputy Speaker, I have already read the recommendation from the parliamentary committee. I shall now read paragraph (2) of the motion moved by the honourable minister:

Work shall not be commenced or carried out on a declared stage in the design or construction of Parliament House unless the New Parliament House Committee or one of its subcommittees has passed a resolution authorising the commencement of work at that stage.

Paragraph (3) from the committee's report states:

The New Parliament House Committee shall report any such authorisation to the Legislative Assembly when the Assembly next meets.

Paragraph (3) of the minister's motion reads:

The New Parliament House Committee shall report any such authorisation to the Legislative Assembly when the Assembly next meets.

Quite clearly, the minister's motion is identical to that which the committee, including the Leader of the Opposition, recommended. The Leader of the Opposition has not submitted a dissenting report. It is a report to which the Leader of the Opposition has put his name. The motion of the Minister for Transport and Works exactly mirrors the recommendation of the committee. Now we have the would-be permanent Deputy Leader of the Opposition castigating the government for moving a motion which it was required to do on the acceptance by this House of a report of its committee.

Mr Ede: We oppose it.

Mr PALMER: Mr Speaker, he opposes it. Let him tell the leader of his party that he opposes the report of this committee of which his leader is a member. Mr Speaker, as I said, the shilpits and snollygosters on the other side of the House ...

Mr SPEAKER: Order! The member for Karama will withdraw that remark.

Mr PALMER: Which remark, Mr Speaker.

Mr SPEAKER: The remark that he just made.

Mr PALMER: Mr Speaker, I withdraw unreservedly.

These burgeoning politicians, these persons opposite, who would take any opportunity to make some small political gain, who are more aptly described in the terms I used previously, took the opportunity tonight to castigate the government, to try to put the government down, to try to embarrass the government over a report ...

Mr Ede: If your preselection committee were here now, I am afraid you would not have a hope.

Mr PALMER: ... which obviously they have agreed with ...

Mr Ede: Isn't he an embarrassment? He must be an embarrassment to his own party. He is an embarrassment to the parliament.

Mr PALMER: Mr Speaker, if I am an embarrassment to my party and if I am an embarrassment to this parliament ...

Mr Ede: You should get out.

Mr PALMER: ... I would not dare to think of the words in which I would describe the honourable member for - the member for an unremembered electorate.

Some of those blokes on the other side of the House sit on committees and make recommendations. But the would-be permanent Deputy Leader of the Opposition and the would-be permanent aspirant to Deputy Leader of the Opposition have the temerity to tell us that they do not agree with the motion moved by the minister on the recommendation of a committee of which their leader is a member. I find that totally amazing, but certainly consistent with the opposition's general attitude to this Assembly.

Mr COLLINS (Sadadeen): Mr Speaker, one of my concerns about this motion is that there is no mention of cost control or cost. There is more than one way of looking at cost. Cost in monetary terms no doubt leaps to the mind of

the ever-interjecting Leader of Government Business. As far as I am concerned, possibly there is a greater cost: the cost to the government in terms of seats at the next election.

Mr Coulter: Let us worry about that.

Mr COLLINS: I happen to worry about it. As the honourable minister would know, my shade of politics, even though I am independent, is very much on the conservative side. I have concern for the conservative side of politics in the Territory, not only in this House but also federally. I spoke about that the other day. This project may have ramifications which will echo down the years, and that is of concern to me.

The people of Flynn tried to give the government a message but that message was rejected. Unfortunately, the government would have gained a lot of credibility if it had listened to the people of Flynn. It is on its own head. The Minister for Transport and Works says that he is quite happy to go to the people in relation to this project. I think he is in for a very rude shock. It is a very sad day.

I will not be supporting the motion and I will oppose it as a protest. I am not on the committee or any of its subcommittees, and am not likely to be. All this motion says is that, when we next meet, we will be told what decisions have been made. It is pretty useless. My protest is that the cost involved in this project will be more than monetary. The cost will be the loss of government by the conservative side.

Mr FINCH (Transport and Works): Mr Speaker, I would like very briefly to complete my remarks in regard to the motion. I wish to return to some sanity and deliberation.

Mr Collins: We wish you would.

Mr FINCH: Mr Speaker, I rarely take much notice of the member for Sadadeen's flippant remarks. I accept his token gesture of resistance and welcome the opportunity to demonstrate at the next election who was right and who was wrong.

There was some concern expressed by a number of members in regard to the lack of costings. There are 2 components to that. As I mentioned in my remarks when tabling the report, it is not possible to produce, at this stage, a budget figure other than the original project management budget of \$87m in 1988 dollars for the 2 buildings together, construction and fit-out only included. The component of that original estimate for Parliament House is expected to be somewhat reduced by the reduction in floor area that the New Parliament House Committee correctly identified as being unnecessary space.

This motion actually puts into place the mechanisms that will lead us to the costing. The parliament, through its committee, has total control over space - that is, floor area. It will have total say on style and, therefore, the imposed cost according to that style. It will have a say on the final design development, the grossing factor that will lead to the ultimate maximum floor area and the size of the building. The committee has the absolute say in terms of fit-out, furniture etc and therefore the cost appropriate to that.

Notwithstanding that, the government, as distinct from the parliament, is responsible for this project in a budgetary sense and will indicate the limit of the budget. However, I would envisage from the preliminary figures that

the government will be comfortable that the cost of the Parliament House as it develops in the hands of the committee will be contained well within the original total State Square concept.

Mrs Padgham-Purich: We are relying on your hope.

Mr FINCH: We are not relying on my hope. Apart from the fact that I take an extremely close interest in all matters pertaining to the State Square development, including cost, we have a pool of professional people who have a proven track record in cost control and cost monitoring and I have no doubt that they will meet the target. They will be talking with the committee as we go through each phase. As we arrive at tighter figures, we will be able to advise this House on the ongoing estimates.

Mrs Padgham-Purich: Why didn't you say that in the motion?

Mr FINCH: It is not necessarily part of the motion. The committee does not have control of the budget. The government has control of the budget but the committee has control of the factors that lead indirectly to the budget. How much the government is prepared to spend and when it is prepared to spend it on Parliament House is totally in the hands of government, and so it should be.

There are a number of other comments, but I think it is best to let them slide because there will be many occasions for people to debate the philosophical aspects of this. I remind honourable members that this is a bipartisan report. There was no disagreement within the committee. I trust that there is total comprehensive support.

Motion agreed to.

ADJOURNMENT

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

Mr HATTON (Nightcliff): Mr Speaker, I rise in tonight's adjournment debate to address one of those rare but exceptionally serious situations which sometimes confront us in our work in the community as parliamentarians and local members. The matter relates to the circumstances surrounding the letting of the ground maintenance contract for the Nightcliff High School Council in February 1988. The information available to me gives a very strong indication of financial impropriety and conflict of interest in the letting of that contract. In respect of dealings with public money, little can be more serious than a suggestion of impropriety. This matter is of particular concern because it has the potential to strike at the heart of the trust that is essential for the effective evolution of responsibility through parents to school councils.

I would like to place before this House the circumstances and the information that has been made available to me and I would like to pose a series of questions and to request the Minister for Education to carry out actions to confirm what are, to my mind, very strong suspicions, and to take whatever actions are necessary to overcome those problems.

Along with many other school councils, Nightcliff High School Council was approached during 1987 by the Department of Education, advising of the opportunity, if the council so chose, to take over responsibility for the

administration of the grounds maintenance contract which was due to expire on 29 May 1987. The school council initially considered the request on 19 March 1987. A subcommittee was formed to consider the matter and to report back to the school council. On 2 April, correspondence from the chairman of the school council went to the department indicating, at that stage, that the council had agreed in principle, but that the final decision depended on the financial arrangements. That seems to be inconsistent with the minutes of the meeting of 19 March, but that is not a matter of major significance.

At the school council meeting of 23 April, it was decided that 2 companies, Lawn Mowing Services and Territory Garden Supplies, were considered to be the only viable contractors. The council was considering the whole question of devolution, which was being debated at that time, and requested that the department extend its contract for the school grounds maintenance for a further 3 months.

I do not have any information from that time until 17 September 1987 but, on that date, it was determined at a school council meeting that the contracts officer of the Department of Education be approached by the chairman in relation to the grounds maintenance contract. On 26 September, the council advised the department of its desire to examine this issue and the department extended the contract to 31 January 1988 to enable negotiations to take place and to enable the school council to take over the contract from that date, which was virtually the commencement of the 1988 school year.

During this period, there appears to have been a range of correspondence backwards and forwards between the chairman of the school council and the department. That is quite proper. On 7 December, the chairman advised that the council had elected to take over the contract. I understand that a subcommittee had been formed to examine the contracting arrangements. I understand that school resumed on 27 January 1988, the Wednesday immediately after the Australia Day holiday. Although I do not have minutes confirming the actual date, I attended an urgent school council meeting on one of the 3 school days in that week. It was called at 7.30 am, prior to the commencement of school, and the chairman of the school council stated that there was an urgent need to make a decision on the appointment of the contractor because the contract was due to finish on 31 January, the following weekend. I do not have the results of that meeting but I must work on the premise that the council resolved to proceed to take over the gardening contract.

I have information concerning events subsequent to that date. On 1 February 1988, a quote for tender was received from Territory Garden Services, PO Box 41685 Casuarina, to Nightcliff High School. The quote was for \$1185 per month or \$22 620 per annum. On the same day, 1 February 1988, an agreement was signed between Nightcliff High School Council and David T. McGregor, 4 Carrington Street, Millner, trading as Territory Garden Services. The contract was signed for and on behalf of Nightcliff High School Council by Mr A. Perrin, who is the chairman of the council and had been the chairman throughout the entire period to which I am referring. The contract is undated but every page is initialled by those 2 gentlemen, setting out the details. The quote refers to TB1580/83, the contract number supplied by the Education Tender Board. The same reference appears on the document of February 1988 granting a contract from 1 February 1988 to 31 January 1991 at a firm price. That appears to be identical with the other document and therefore it is reasonable to assume that, at 1 February 1988, the Nightcliff High School Council was committed to a 3-year contract.

On 5 February, Darwin Irrigation Supplies registered with the Companies Office a change of address. From 1 February 1988, it was to operate from 44 Stuart Highway, Stuart Park. That document was signed by A. Perrin, agent for Northgate Holdings Pty Ltd. Northgate Holdings own the business name Darwin Irrigation Supplies.

On 16 February, a quotation was received by Mr Perrin from Lawn Mowing Services for the grounds maintenance contract at Nightcliff High School. We should remember that he had signed a contract on 1 February for a 3-year period. I have taken the opportunity of discussing that document with the proprietors of Lawn Mowing Services and am advised that Mr Perrin arrived at their premises on 16 February. He advised that he needed an urgent quote for a school council meeting which was to be held on 18 February. They proceeded to inspect the site. A quote was prepared and delivered to Mr Perrin that day. Discussions at the school council last week and a perusal of school council minutes produced no evidence or no knowledge among council members of that tender or quotation ever being referred to the school council for consideration. Although there are some differences in the work to be carried out, the quote was \$1000 per service. On the face of it, that is some 46% cheaper than the contract which had been signed and, of course, this quotation was received some 16 days after the council had entered into a contractual arrangement.

It becomes more interesting, Mr Speaker. Obviously, a high school council can only enter into a contract if it has the authority of the Department of Education to do so. An examination of the file shows that the Department of Education did not enter into an agreement with Nightcliff High School Council until 22 February 1988. In fact, Mr Perrin signed the agreement, as witnessed, on 18 February. One presumes that was at the school council meeting of that day. It was countersigned by the departmental representative on 22 February. On 18 February also, Darwin Irrigation Services submitted an application for registration or renewal of a business name. That business name was to be Territory Garden Services. The application is filed in the name of Northgate Holdings Pty Ltd and signed by Mr A. Hood, who is one of the proprietors.

The school principal received a letter from Mr David McGregor, dated 1 March. It says, in effect, that Darwin Irrigation Supplies and Territory Gardening Services have amalgamated, effective from 1 March 1988, which is the same date that the application for registration of a business name was to take effect. The letter advised the principal that the contact person in respect of the grounds maintenance contract was to be either David McGregor or Alan Perrin.

I think there are very good grounds for saying that Mr Perrin was acting both as the negotiator for the Nightcliff High School Council and as an agent or representative of one of the tenderers and, in fact, did not provide the opportunity for any other tenderer to take that job. I think that is a very serious potential case of a conflict of interest and it really should be examined very closely.

I further understand, from a press release from the Leader of the Opposition, dated 2 February, that Mr Alan Perrin is currently the Treasurer of Darwin High School Council. I ask the minister whether he will have this matter completely and fully investigated. Will he carry out the necessary company searches to find out the associations and involvements of the proprietors and Mr Perrin, the then Chairman of Nightcliff High School Council? Will the minister find out how long Mr Perrin has been associated

with Darwin Irrigation Supplies, Spray Grass, Territory Garden Supplies or any other group associated with Northgate Holdings Pty Ltd? Will the minister investigate the financial and contractual matters at Darwin High School since Mr Perrin has been on the council and occupied the position of treasurer? Will the minister have a full investigation carried out into contractual arrangements between the department or school councils and Darwin Irrigation Supplies, Territory Garden Services, Spray Grass or any other business names that may be associated with Northgate Holdings Pty Ltd or the new name, adopted in May 1988, of Diploid.

Mr COLLINS (Sadadeen): Mr Speaker, I have been trying to ask a question in question time this week but I have not had much luck in obtaining the call. I have given some notice of it to the Chief Minister's staff but only in general terms. Hopefully, the Chief Minister's staff will be listening now and will be able to obtain the information which, I am sure, will be of interest to other honourable members.

My question relates to an announcement which I heard on the radio some time in January. It related to the borrowing of the first \$20m for the State Square project. As I recall, it referred to a 4% interest rate rising to commercial rates. I would like some more detail about that. First, from whom was the money borrowed? I am sure all honourable members would love to know where they could borrow \$20m at 4% at the moment. If we could not make a buck on the side on that, there would be something wrong. If the money was borrowed at that rate, I am fascinated to know more about it. It certainly is a marvellous deal and I am sure the government would like to tell us all about it. Secondly, what are the details of the rising interest rates? Do they, for example, rise by 1% a year? Is there a maximum set for the rate or is it open-ended in some manner? Thirdly, for how long is the loan taken out? What is the loan period? Fourthly, has the government put temporarily spare money into the short term money market to gain a decent interest benefit for Territorians? I am sure that the government would not have spent the \$20m immediately.

The information may have been expressed simplistically because of the way the media sometimes approaches things, but what I heard was that \$20m had been borrowed at 4%, with the interest rate to rise to commercial levels. It may have been an example of the simplistic way in which the media sometimes grabs hold of things, but I am sure that this is the first real information of a financial nature that we have had about the State Square project. I want to know those details. I am sure that they will be of interest to all members of this House and to the people in the community.

Mr Speaker, I had an article from Monday's The Australian relating to defence and, unfortunately, I have misplaced it. It related to Western Australia and a gentleman who has had a great deal of experience in the army, not only in Australia but in Vietnam. He actually spent 10 years seconded to the United States Army and subsequently has had extensive experience in South-east Asia as an adviser on military matters to governments in that area. He made the claim that the City of Perth and Western Australia could be taken by 600 well-armed soldiers, and the rest of Australia could be stunned with speed and surprise and do very little about it. The article went on to describe the experience of this gentleman and claimed that he would be about the only person who had the experience to organise such an event. Obviously, he would not do it against Australia, but he knows the mechanism of going about it.

This reminds me of the story I told on one occasion in this House about the Russians and their rather interesting aircraft called the Caspian Jumbo. It carries 900 crack troops at 600 mph, 20 m above the waves in order to get beneath radar and can land at 45 km an hour - not knots but kilometres an hour. In a daring raid, 2 or 3 could take Darwin and the Territory. They would take out Tindal Air Base and I am sure that is of interest to some of the members of the audience from Katherine here. We would be snookered. I recommend to members that they obtain Monday's The Australian and read it closely. He claimed that there were 3 South-east Asian countries which would be well and truly capable of mounting a surprise raid. It is rather spinechilling stuff.

Those of us who live on these northern fringes - and, no doubt, the people in Perth who live on the western fringe of Australia - feel very isolated from the rest of the country and have reason to believe that this country needs better defences. We need to be better organised. In my book, we could certainly follow the example of Switzerland where all men between the ages of 18 and 45 are given military training and have a high-powered rifle in their home. I raised this on another occasion in this House when there was a kaffuffle going on about armaments. In Switzerland, the number of people doing mad things with high-powered rifles is far less than in Australia. It may well be that the deterrent is that the potentially violent person knows that his intended victim also has a high-powered rifle at his place. We could do a great deal for the defence of this country if we took a leaf out of their book.

Mrs Padgham-Purich: Never mind, Denis. We will help you in the rural area.

Mr COLLINS: Yes, I am sure the people in the rural area would be the salt of the earth if there was an attack.

Mr Bell: I was afraid of being the blood of the earth.

Mrs Padgham-Purich: There are a few good shots out there.

Mr COLLINS: Mr Speaker, on a lighter and more pleasant note, I am sure that most members of the House are aware that a lady for whom most of us hold a fond affection, a Territorian with a great character, is celebrating her 81st birthday today. I refer, of course, to the mother of the Minister for Education, Mr Tom Harris. It is Mrs Harris' birthday and I am sure that all members will join me in saluting her as a grand Territorian and in wishing her a very happy birthday.

Members: Hear, hear!

Mr SETTER (Jingili): Mr Speaker, in the last several months, on separate occasions, I was approached by 2 of my constituents. Both complained to me about the fact they they had seen young people, and I am talking about 8-year-olds to 10-year-olds, purchasing cigarettes from the local supermarket and smoking them. In other words, they went in, bought cigarettes and went outside and smoked them. These constituents rang my office because they were absolutely horrified about this. They asked if something could be done. I explained that I was not sure what the legal situation was.

This was confirmed to me when, a few days later, I happened to be driving around the corner adjacent to where I live, and a young girl of about 10 or 11 years came past on a pushbike. A plastic shopping bag hung over the

handlebars of her bike and, in her hand, she had an opened packet of cigarettes. She had just placed a cigarette in her mouth and was striking a match. I could not believe it. Here was this young child of 10 or 11 quite publicly and openly smoking. Obviously, she was doing this without the knowledge and permission of her parents because, in my opinion, no parents of sane mind or with any sense of responsibility would allow that to occur. Nevertheless, I saw it happen and what I saw confirmed what had been said to me by 2 constituents separately, talking about different instances.

It was really sheeted home to me that we need to do something about it. There is no doubt that, to use an old, well-used adage, smoking is a health hazard. We all know that governments and health authorities have gone to enormous expense to develop anti-smoking campaigns. They are trying to educate the community and, at the same time, prevent tobacco companies from publicly promoting their products in certain circumstances. We all know that tobacco advertising has been banned in some states and in others it is certainly dramatically curtailed. Indeed, I understand that advertising which is aimed at young people is banned totally. In other words, if advertising is permitted, it must be aimed at the adult market.

In our own city, Healthworks, which is sponsored by the Department of Health and Community Services, itself promotes anti-smoking campaigns and distributes quite a number of leaflets in conjunction with the Heart Foundation, the anti-cancer people and so on. Let me indicate a couple of examples. This brochure, 'Smoking - Your Questions Answered', is from the Anti-Cancer Council of Victoria. I quote: 'Has it really been proven that cigarette smoking causes diseases? Yes. All major medical or health agencies accept these facts. Cigarette smoking is a major cause of chronic bronchitis, emphysema, lung cancer and heart disease'. It indicates that emphysema is 'almost always associated with smoking'. The Heart Foundation says: 'Smoking is a heart hazard'. 'Quit Smoking' is the title of another brochure. 'Take a Stand Against Smoking' and 'Why Do You Smoke?' are the titles of others. There are numerous brochures of this nature on the shelves at Healthworks, the Heart Foundation, the Anti-Cancer Council etc. Talk to any medico and he or she will tell you the same story. Smoking is a health hazard and we are spending an enormous amount of money trying to discourage people from smoking.

I am one of the fortunate people who do not smoke. However, I know that there are a number of people who do. I respect their right to smoke. That is entirely their decision, and that is not the issue that I am talking about. What I am talking about is that we are making little or no attempt to prevent young people smoking.

The federal government has banned smoking in public service workplaces, and I personally support that. Of course, we all thought it would create a tremendous furore, but it has not. Arrangements have been made for the people who do smoke and that is fine. Smoking has been banned on the national airlines. That ban was introduced very suddenly about 12 months or so ago. There is a huge number of flights every day around Australia and nobody is permitted to smoke on those aircraft.

Let us have a look at the position adopted by the Northern Territory government in order to confirm what I am saying. On 4 October, the Public Service Commissioner, in a circular, under the heading of 'General Departmental Policy' ...

Mr Manzie: Who signed this?

Mr SETTER: It was signed by S.P. Saville, Public Service Commissioner. I will rephrase that: it was over his name but I do not think it is his signature. Quite honestly, I cannot decipher the signature, but it is there if anybody would like to have a look at it. This is a legitimate document. There is no question about that because I obtained a copy of it from the office of the Minister for Labour, Administrative Services and Local Government. It was faxed to me from his office.

The policy says: 'General Departmental Policy - display of a brief policy document in each building or workplace which includes a statement that smoking is a health hazard for both smokers and non-smokers and is therefore strongly discouraged in accordance with the organisation's aim to create a non-smoking environment for its employees. A list of specific areas where smoking is prohibited and a list of contacts and/or resource material to assist smokers to stop smoking'. That is the Northern Territory government approach to the situation.

The Department of Education has its own policy in respect of the banning of smoking. I will quote from a Department of Education circular to all staff which was issued on 31 October 1988. It says:

The NT Department of Education policy has therefore been amended and, as an interim measure, there will be a total ban on smoking in all departmental vehicles and premises, with the exception of clearly-designated areas, from 17 April 1989.

If any more confirmation is required, let me quote a press release from the Minister for Health and Community Services which is issued on 30 December 1988:

Territorians have a good understanding of the ill-effects of smoking. The 1988 'Quit Smoking' campaign has reached a large target group across the Northern Territory, the Minister for Health and Community Services, Don Dale said today. The campaign has also succeeded in its aim of creating a community network of support groups to help smokers give their habit away.

I will not read it all. There is no doubt that smoking presents a health hazard to people and should be discouraged. The evidence is there. The problem is that most smokers commence their habit at an early age. I have had complaints from constituents on this issue. Tonight's 7.30 Report had a report on smoking, particularly smoking among young people. It indicated that 70 000 children take up smoking each year. That is horrendous. 45.7% of males smoke and 32.7% of females smoke. 43% of females aged 16 to 19 smoke and 34% of 15-year-olds smoke. In closing its presentation, the reporter indicated that, from about mid-year, the ABC will become smoke free.

There is a feeling in the community that smoking is harmful and that we should discourage young people from smoking. Unfortunately, judging by all of the literature that I have seen, the thrust of our anti-smoking campaigns is aimed at adults rather than at young people. Thus, what we are really saying is that we will not attack the problem where it occurs at that young age. We will wait until they take up cigarettes and then try to discourage them. We introduce programs that discourage adults but we turn a blind eye to the young people.

I am concerned about this because I believe it is time that the problem of children smoking is addressed, not only by government, but by parents, by the

people who sell cigarettes to these young people and by a whole range of people in the community. I did a bit of research and I found that the Northern Territory has legislation on its statute books which makes the sale of cigarettes to persons under the age of 16 years an offence. I am referring to the Protection of Children Act which has been on the statute books for a long time. I will quote from the act:

This act may be cited as the Children's Protection Amendment Act of 1904 and shall be incorporated in and read and construed as one act with the Children's Protection Act of 1899 and all acts amending same. Any person who sells, lends, or gives or offers to sell, lend or give to any child, actually or apparently under the age of 16 years, any tobacco, cigar or cigarette shall be guilty of an offence under this act and shall be liable to a penalty not exceeding 5 pounds.

Mr Speaker, the act is outdated and it needs upgrading, but it is there. It is an act of this Northern Territory and is current. In my opinion, it should be enforced.

Mr Collins: We tried to do it in the committee 2 years ago. We got no support.

Mr SETTER: Mr Speaker, regardless of what any committee has done, it is an act of the Northern Territory. It is enforceable and should be enforced.

I have spoken to supermarket owners and youth groups over the last week or so and everybody endorses action being taken in relation to this matter. I call on the authorities responsible to implement the provisions of that act.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise tonight to speak on several subjects. Although the honourable minister displays a lack of concern, I have been concerned for some time about the disintegration of the Conservation Commission. I have never seen a government department lose its morale so quickly. I have many dealings with officers in the Conservation Commission, from the top to the bottom, because of my interest in active conservation and because I have known many of these people personally over a number of years. I would say that every person to whom I have spoken is concerned at the lack of morale in the Conservation Commission resulting from a lack of concern for the well-being of staff.

The Conservation Commission was previously housed at the Berrimah Research Station, near the buildings occupied by the Department of Primary Production. A building was built in Palmerston and guaranteed occupancy was one of the conditions of the owner obtaining a loan from the Northern Territory Development Corporation. When the building was built, he obviously said to the government: 'Where is my guaranteed occupancy?' There was slight overcrowding at the Berrimah site of the Conservation Commission, but nothing that could not have been overcome there.

To fulfil the requirements of the occupancy conditions of this loan, the Conservation Commission moved to the building in Palmerston. To my way of thinking, it was and still is a most unsuitable building for the Conservation Commission to be housed in. However, that was not enough. Not only were they moved to a building in Palmerston that had no access to the first floor except up and down the fire stairs at the side, but some of them were moved to another building which is in Palmerston also. At the moment, they occupy parts of 2 buildings in Palmerston.

That is not the end of the story by a long chalk. The Wildlife Section of the Conservation Commission is housed in the CSIRO buildings in McMillans Road in Berrimah. I am not saying that it is not a suitable site but it is divorced and completely separated from the parts of the Conservation Commission that are housed at Palmerston. In addition, there are still some of the Conservation Commission staff at the old site at Berrimah.

I would like to add also that government has not seen fit to put anybody into the buildings that the Conservation Commission was forced to vacate. If that is not a gross lack of concern for government capital investment, I do not know what is. I have not been into the buildings personally. I was at a Christmas party for the Conservation Commission which, for old time's sake, was held at the old rotunda. However, it is not housed there.

As well as having the Conservation Commission occupying parts of 2 buildings in Palmerston, parts of the CSIRO at Berrimah and parts of the old building at the previous site near the Berrimah Research Farm, its vehicles are not housed with them. The vehicles are housed partly in one storage place and partly in another: in a car yard in Yarrowonga Road next to the Transport and Works depot and at a yard on the corner of Yarrowonga Road and Wallaby Holtze Road, not far from where I live. Thus, the Conservation Commission is housed in 6 places.

I must admit that the present Minister for the Conservation Commission is a nice chap but I do not think he has the interests of the Conservation Commission at heart. He seems to be presiding over the pre-funereal state of the Conservation Commission. I do not believe that he is showing the proper responsibility for his portfolio. We saw the morale of the staff of the Department of Primary Industry and Fisheries tumble when somebody went through them like a dose of salts, and part of their complement was rehoused in 'Fish House', or whatever it is called in Darwin. It would do the 2 ministers good to speak with their staff from top to bottom, but probably they would not receive the same frank responses that I have received. I do not say there was anything illegal about the Department of Primary Industry and Fisheries going to 'Fish House' or the commission to those 2 office blocks in Palmerston, but I believe it begs the question: can the government organise and successfully manage its accommodation for public servants in those 2 departments? I maintain that it cannot. I believe that the Minister for Conservation, in particular, and the Minister for Primary Industry and Fisheries would do well to look to the morale of people in the departments in their care.

I was very pleased to note that the officers of the Conservation Commission had trapped another crocodile in the vicinity of the Howard River. A constituent came to me the previous day with concerns about the incidence of crocodiles in the Howard River. She lives nearby and her young children had seen the crocodiles. The children like to go fishing and playing in the water but, because of her concern that they may be taken by a crocodile, the mother has forbidden them to venture further afield than the immediate vicinity of the house even though they live on quite an extensive block. I believe her fear has been justified by the fact that this crocodile has been caught. That brings me to a further elaboration of the point.

Whilst I agree that the Conservation Commission does a pretty good job of catching problem crocodiles and taking them to the farms, which serves the double purpose of taking them away from public recreation areas and helping to increase the numbers at the farms, I believe the time is arriving when the Minister for Conservation must examine the possibility of declaring an open, but strictly controlled, season on crocodiles at certain times in the year.

The crocodile is a protected species and I do not advocate wholesale shooting by any means, but we are reaching a stage when we will need to consider the life of the crocodile as against the life of a human being. Some people do not think an open season is a good idea. I was talking to one of my constituents the other day and he believed that a better scheme would be to have the Conservation Commission rangers, who are trained in the apprehension of crocodiles and in other matters, frighten the crocodiles away from these spots by various means. They should put the fear of God into them, so to speak, so that they will vacate spots near human habitation and human recreation places.

Whichever system is adopted, I believe that it is time for the Minister for Conservation to give serious thought to the incidence of crocodiles, because we are getting more and more settlement in outlying areas, not only in my electorate, but also as a result of tourist ventures throughout the Northern Territory. Whilst a taste of rough, tough life in the outback and in the bush up here is something that catches the attention of tourists, we nevertheless want the same number of tourists to leave the Territory as arrive here.

I was concerned today to hear from a public servant - and I have not yet had the opportunity to follow it up - that some sort of computer check on telephones is being put in place. At least, it has been put in place in his department. From what I could gather, because the conversation was rather brief for obvious reasons, there is a computer counting of telephone calls. I am told that the conversations are not recorded, but this could be the thin edge of the wedge. The numbers of people ringing in are recorded and the calls people make to certain numbers outside are also recorded. We have legislation before the House in relation to listening devices and I do not condemn that out of hand. I am wondering why, if it is indeed true, we need to have strictures placed on ordinary telephone calls into and out of government departments. Everybody knows that, when one rings a police station to make a complaint and speaks to the person in charge, the call is recorded. I have rung some other places for information and have been told that the call was being recorded for innocent reasons.

Mr Speaker, I intend to pursue this further. I believe that we have come to a pretty pass when we have Big Brother looking over our shoulders and listening to our telephone calls and when the government cannot even trust its public servants to make telephone calls and the community to make telephone calls to the public servants. I believe that such a situation cannot be countenanced and I will be pursuing my inquiries further.

In the time remaining to me, I would like to comment on a prawn farm which I visited in the rural area. It is owned by Mr and Mrs Boustead of Howard Springs and the story of its development in a very short time is something which needs to be told. It is the story of what people can achieve by throwing themselves into their hobby or their work and being prepared to risk their own money in the hope that their children will stay in the Territory and that the Territory will develop. For some time, Mr Bill Boustead has been successfully conducting a business which involves catching and selling, interstate and overseas, certain small aquarium fish occurring in the Northern Territory. From this, he has progressed, in an amazingly short time, to a situation which is little short of amazing.

Mr Boustead rang me on Friday and I went to see his business on Monday. When people ring to say that they would like me to visit, I do so immediately, firstly because people who are proud of their work want to show it off and

secondly because, naturally, I want to see it. This brings me to the one sour note in this story. Mr Boustead has had considerable difficulty in getting fisheries officers from the Department of Primary Industry and Fisheries to look at his project and to share his interest in it. Indeed, he believes that the only reason they visited it was that he told them that I was coming. They attended on the day after my visit.

Mr Boustead is actively engaged in prawn farming. He bought 100 000 baby prawns 4 weeks ago and he has them in a large pond which is about 1 ha in area. The prawns' rate of growth has exceeded even his enthusiastic imagination. He says that it is nothing short of incredible. I must say that he knows what to feed them and he knows how to look after them. He is carrying out experiments with some prawns in relation to different types of feed, but the majority are in the large pond. He told me that, in the space of 4 weeks, the prawns have grown from about 0.75 of an inch in length to 3 or 4 inches. When he harvests the prawns in a couple of months, he expects them to be 10 to 12 inches long and for the total weight to be about 15 t. They are black tiger prawns and this is his first crop. He adjusts his mixture of saline and fresh water and has put in extensive equipment as well as using the prawn farm which he bought. In future, he hopes to have 2 crops of black tiger prawns and a crop of brown tiger prawns.

He is also looking at growing barramundi and lot-feeding crabs. He is buying empty crabs from fishermen and lot-feeding them. He also has a large number of whelk, locally known as long bums. If he can also farm these, the results of his project will be quite amazing because he will have on the market 2 types of prawn, barramundi, crabs and whelk. I must say that he has no trouble at all in marketing his prawns and crabs. I believe that, if honourable members are interested, he would be only too happy to welcome them to his farm and show them around.

Mr MANZIE (Attorney-General): Mr Speaker, I rise this evening to discuss an issue which has been of concern to me for some time. I refer to the intention of the federal government unilaterally to enact legislation to replace the present cooperative National Companies and Securities Scheme. I believe that this move, if successful, will adversely affect the business community and investing public, not only in the Northern Territory but in the whole of Australia. Here in the Territory, the plan has the potential to return us to the bad old days of centralised control from down south, by removing our autonomy over corporate affairs. There are also revenue implications for the Territory.

Honourable members would be aware of the massive opposition to the proposal which has been expressed by business groups and governments around Australia. Indeed, all state and territory governments, regardless of their political colour, have been unanimous in their opposition to it. That opposition was made very clear to the federal Attorney-General, Mr Lionel Bowen, when the ministerial council of the National Companies and Securities Commission met in Darwin last year. The federal government found itself in such hot water over the proposal that it finally agreed to establish a joint select committee on corporations legislation to examine the legislation which would form the basis of the new scheme.

Unfortunately, it now appears that difficulties are surfacing in relation to the operation of the committee itself. First of all, although the committee was established only in December last year, the deadline for written submissions was 6 January this year. This could hardly be called an adequate length of time for the preparation of detailed submissions on such complex

issues. In fact, I understand that, having set such an early deadline, the committee only started to examine the written submissions it received in late January after members had returned from their holidays.

Secondly, the committee has held very few public hearings and none at all in the Northern Territory. The Northern Territory government lodged a written submission with the committee and, as early as December last year, I specifically requested members of the committee to come to Darwin and take submissions from the government and Northern Territory business groups. It now appears that all public hearings have concluded without the committee coming to Darwin and without even arranging an opportunity for myself or my representatives to appear before it.

The committee is supposed to consider the complex submissions made to it and report by the end of this month. It has been interesting to note that not only the legislation itself, but also the way in which the federal government has pursued the proposal, have come in for scathing criticism from many appearing before the committee. For instance, no less a person than the Chairman of the National Companies and Securities Commission, Mr Henry Bosch, claimed that, because of the poor quality of the legislation, the successor of the NCSC would no longer be 'a corporate watchdog' but rather 'a lapdog' of the federal Attorney-General's Department. Mr Bosch contended that it would have few real powers and, therefore, its ability to protect the investing public would be limited. A number of Attorneys-General and the New South Wales Minister for Business and Consumer Affairs addressed the committee. All opposed the legislation. Organisations of shareholders also expressed concern, as did the Law Council of Australia and other groups.

It now appears that the legislation, if enacted, will be continually challenged in the High Court. This can have the effect only of causing serious uncertainty throughout the country's corporate sector. This issue is more than one of states rights or states revenue. I am not alone in feeling that the legislation is badly flawed and that the federal government's rush to enact it is against the best interest of business and, indeed, the whole community. I believe that the committee will not be doing its job unless it analyses this legislation diligently and in a proper way. While I am not convinced that the legislation will receive such an examination, I am still prepared to assist the committee to bring this about.

However, I remain unconvinced that there is any need to replace the present cooperative scheme. I believe that the present scheme operates very effectively and is responsive to the needs of the corporate sector throughout Australia. Indeed, the operation of the present scheme under the ministerial council system particularly facilitates this. Under the present system, all state and territory Attorneys-General have an equal say. As Territorians, honourable members will appreciate that this means that the largest states are unable to dominate the council or disregard the needs of the smaller states and the Northern Territory. In the 3 years that I have been attending ministerial council meetings I have found that, by and large, we are able to achieve the things which need to be achieved and to respond appropriately to any needs which arise. I fail to see why such a system, which is operating effectively throughout Australia, needs to be replaced by a centralised system. I can only assume that it is purely because the federal government wishes to take over full control of the corporate sector or that it would perhaps be a little easier for some of the very large business concerns to influence the government in relation to business matters.

To return to the matter of the joint select committee, I can assure members that I will be writing to the federal Attorney-General to express my disappointment and concern that the committee has not seen fit to hold public hearings in the Territory. I will also be raising my concern that the time frame given to the committee is not adequate to allow it to properly consider the highly complex legislation and equally complex questions which the federal government's unilateral approach has generated.

Mr BELL (MacDonnell): Mr Speaker, in this evening's adjournment debate, I want to draw the attention of the Minister for Health and Community Services to comments made in the editorial of today's NT News and also to statements made by the Northern Territory AIDS Council. I believe that there are 2 fundamental questions to be answered in respect of the needle exchange legislation and I hope to clarify them tonight. The first question is: who in fact runs the Northern Territory government? The second question is: will the Northern Territory government, particularly the minister, take advantage of the next 24 hours of these sittings to come to their senses?

Mr Speaker, the only sentence in today's editorial from which the minister can take any heart is its opening sentence which states that the 'Health Minister, Mr Don Dale, was wise to defer the introduction of tougher drug laws'. It is all downhill from there. It goes on to say: 'The laws were to accompany legislation covering the free exchange of needles for drug addicts'.

Mr SPEAKER: Order! I refer the honourable member to standing order 59, Allusion to Earlier Debates, and standing order 68 which states: 'No member shall anticipate the discussion of any subject which appears on the Notice Paper'. The topic which the honourable member is now debating has been debated previously and is listed for debate on a later day.

Mr BELL: Mr Speaker, I have no intention of referring specifically to the Poisons and Dangerous Drugs Amendment Bill which is on the Notice Paper. I am simply drawing to the attention of the minister the views expressed in today's newspaper about the government's policy with respect to AIDS legislation and drug legislation. Further, Mr Speaker, I intend to draw the attention of the minister and the government to the views expressed by the Northern Territory AIDS Council.

Mr SPEAKER: The honourable member may proceed.

Mr BELL: Mr Speaker, the editorial goes on to say in relation to the marijuana provisions of the bill:

The laws were to accompany legislation covering the free exchange of needles for drug addicts as part of the Northern Territory government's campaign against AIDS. It will be recalled that, when the exchange of needles was first mentioned, it attracted strong criticism from the Nationals MLA, Mr Ian Tuxworth, who said this merely encouraged drug users. Implicit in Mr Tuxworth's criticism was that the Northern Territory government had gone soft on the fight against dangerous drugs.

It is impossible to escape the conclusion that the amendments proposed to the Poisons and Dangerous Drugs Act were perhaps an overreaction to that criticism. The legal fraternity complained about the severity of laws, their possible infringement of basic civil rights and the difficulty of administration. A commonly expressed view was that, for example, body searching of people in

premises where marijuana was being used shattered the presumption of innocence upon which all our criminal law is based. It would also have been degrading for the people involved and it raised the clear possibility of abuse, including of course sexual abuse. Reason has prevailed and the new laws have been referred back to the Law Department where they are to go under the microscope after extensive consultation with the police and legal practitioners. It is a pity that, along with the drug amendments, the needle exchange legislation has also been put back.

Mr Speaker, it is clear that, as the editorial writer of the NT News infers, this government is being stampeded by the views of the member for Barkly.

Mr Tuxworth: That is not true. That is a terrible thing to say.

Mr BELL: Mr Speaker, the plain fact of the matter is that this government lost its backbone a long time ago. There has never been any clearer indication of its lack of capacity to govern in the Northern Territory than this supine effort. Members of the government have been steamrolled. The fact is that they have given in to their old boss. I heartily concur with the comment in the editorial that it is 'a pity that, along with the drug amendments, the needle exchange legislation has also been put back'. The editorial continues:

As the opposition legal spokesman, Mr Bell, suggested, the 2 pieces of legislation should have been split to allow the immediate free exchange of needles. Contrary to Mr Tuxworth's viewpoint, exchanging needles does not promote drug abuse. Certainly all the available literature strongly suggests that giving out clean needles does not promote an increase in the consumption of hard drugs. It merely protects users against AIDS and, therefore, the community at large. Any delay in this program means higher risks for a few people. In turn, if those people contract AIDS, they will almost inevitably pass it on to others.

That is the nub of this issue, Mr Speaker. The editorial continues: 'It is perhaps high time in our community that sensitive issues such as this were debated by politicians in a rational and analytical way'. Mr Speaker, I think you would agree with me that the comments of the Minister for Health and Community Services on this particular issue have been neither rational nor analytical. I believe that the opposition has demonstrated a sensible, rational, analytical approach to this and has developed sensible public policy. The editorial concludes by saying: 'But let us not confuse the need for these amendments with measures that are better suited to a totalitarian than to a free community'. I could not agree more with the editorial writer of the NT News in that particular regard, and I sincerely hope that every member of the government takes it to heart and decides that it is about time they showed some intestinal fortitude. They have 24 hours to act or they will give AIDS a 3-month holiday.

I have not had the opportunity to meet with people in the Northern Territory AIDS Council, but I have received a copy of its statement to the media, with today's date, and I think that ...

Mr FINCH: A point of order, Mr Speaker! The member for MacDonnell has been wandering and what he is now attempting to do is introduce new matters into a debate on a matter which is before the House. Whilst the honourable

member may be free to quote from the daily newspaper, when he wishes to enter into either new or regurgitated debate of a matter still before the House, I believe that he is out of order.

Mr BELL: In speaking to the point of order, I appreciate the embarrassment of the Minister for Transport and Works ...

Mr Finch: I am not embarrassed.

Mr BELL: ... and I appreciate that he will experience some difficulties, given his supine performance in relation to this matter. As to his point of order, it does not exist. I believe that it is important that the substance of this media release from the Northern Territory AIDS Council be drawn to the attention of the Assembly.

Mr TUXWORTH: May I speak to the point of order, Mr Speaker? I think it is unreasonable to assume that the member for MacDonnell is introducing new material or regurgitating old when we have not heard what he intends to read from the press release. It would be appropriate if we could hear that first and then decide whether it is new material.

Mr SPEAKER: I again advise honourable members that they must be extremely careful not to touch on anything previously debated or anything listed for debate.

Mr BELL: Mr Speaker, I do not intend to read this statement to the media at length, but I want to draw the attention of honourable members to 2 comments from the public officer of the Northern Territory AIDS Council, Mr Terry McClafferty. This does concern me, and it should concern every member of this Assembly when it is written by people who are at the forefront of the fight against one of the greatest public health scourges in this country for decades.

He says that: 'The minister has broken a protocol set in the rest of Australia to keep AIDS out of the public arena. Don Dale linked an AIDS issue to increasing penalties for marijuana and a political fiasco ensued'. The minister has nobody but himself to blame for that political fiasco. We endeavoured to cooperate very closely with the minister on this issue ...

Mr SPEAKER: Order! The honourable member, in fact, has again crossed into that area which has previously been debated. Unless he can divert his comments completely, I will have to pull him up on that topic.

Mr TUXWORTH: Mr Speaker, may I raise a point of order and seek your clarification on an issue? This morning, the honourable minister indicated that the legislation presently being alluded to would not be considered until the next sittings which, in effect, takes it off the Notice Paper.

Mr SPEAKER: The honourable member should be aware that there is no point of order. I refer him to standing order 68, 'Anticipation of Subject'. For the information of the honourable member, the last part of that standing order speaks of the probability of the matter anticipated being brought before the Assembly 'within a reasonable time'. The May sittings would be a reasonable time.

Mr BELL: There would be a number of people in the Territory community who may debate whether that is a reasonable time or not, but I do not seek to make an issue of that.

I simply seek, Mr Speaker, to draw to your attention the comment of the Northern Territory AIDS Council. It does not refer to the legislation at all, but I think it is appropriate that this be drawn to the Assembly's attention. Mr McClafferty stated:

The issue is that one outlet in the Northern Territory to provide syringes will not work. Not all IV users are prepared to visit the outlet and obtain clean syringes. Blind Freddy can find IV-using individuals in the Territory and the situation similar to New York with women being infected by IV-using boyfriends is in the horizon. Clean syringes must be made freely available, otherwise the community will find its hospital beds filling with adults and newborn babies infected with the AIDS virus.

I have 2 questions, Mr Speaker. First, does the member for Barkly run this government? Secondly, are members opposite running scared of the member for Barkly, their old boss? Most importantly, the minister has 24 hours to fix things.

Mr MCCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I rise very briefly tonight to pay tribute to a great, original Territorian. This man had a major impact on my portfolio of local government. He was a leading figure in one of the first Aboriginal councils formed at Angurugu in the early 1960s. One of his strengths was his ability to adapt ideas from non-Aboriginal culture for the benefit of his people. He was able to obtain the support of the Aboriginal Cultural Foundation and teach white Australians respect for Aboriginal culture. He was the first President of the Angurugu Community Government Council and he set an excellent example of the way that community government could work.

He retired 2 years before his death, and still had a very major influence on his community and on his area. This man was a leading light in the move for a new land council in south-east Arnhem Land and, while I do not intend to adopt a political stance on that, it was a measure of the concern which Aboriginal people have for developing their own voice in their own affairs. The man to whom I refer believed heartily in the individuality of the Aboriginal groups in the Northern Territory and throughout Australia. Certainly he did not have the idea of pan-Aboriginality that is espoused by many Aboriginal people who could be called less than traditional. He saw each local group of Aboriginal people as a link in a chain, each strong in itself yet strongest when linked together. Behind each group, he saw the laws and traditions of their people, all similar, yet different and stronger because of their differences, each there to help and inspire the others. Mr Speaker, that can really be said of most cultures: each forms an individual group, linked in a chain to assist one another.

I have a great respect for the views of this man and his death is a great loss to the Northern Territory and to the developing relationship between Aboriginal people in the Northern Territory and the European people of the Territory. I had the honour to be at his funeral, although I would have preferred to have been visiting Angurugu under other circumstances. It was a very large funeral and people from all parts of the Northern Territory were there. Certainly, there were quite large contingents from my electorate, from Port Keats, Palumpa and Daly River. They were there because of this man's great influence on Aboriginal culture in the Northern Territory and around Australia. He carried his views and his culture with him wherever he went and was able to impress on all who met him the great depth of his knowledge and the great wisdom that he possessed.

Mr Speaker, out of respect for the man, I will not refer to his name, although I believe that, when non-Aboriginals use the names of Aboriginal people who have died, the concern is not as deeply felt. I think we all know to whom I am referring. I offer my sympathy to his family and the people of his area. Now that he has gone, I hope that others will follow in his footsteps and provide the sort of leadership that he provided in the past.

Mr Speaker, there is another person to whom I would like to pay tribute this evening. I do not know him well, but I have certainly met this man. I refer to Alex Gory, a long-time resident of Pine Creek. I regret his passing earlier this week, as I am sure all members do, because he was a man who had a great deal of character, a man who enjoyed a story and a person one could visit and feel the better for having done so.

Alex Gory was born in Russia in 1882. He came to Australia in 1912 at the age of 30 and moved to Darwin in 1915. If you think about that, Mr Speaker, he was here at the time of Gilruth. He worked as a fettler on the Pine Creek railway until 1930 and then tried prospecting for tin at Umbrawarra. From 1933 to 1944, he was peanut farming but, at the age of 60, when most people retire, he went back to working as a fettler on the railway at Pine Creek. He continued at that employment until 1958 when someone decided a 75-year-old was too old to be digging up railway lines. At that time, he did some gardening around the old tin shed that he had made his home since 1915. However, he must have become bored because he had one last go at peanut farming before retiring in 1971 at the age of 89.

Alex Gory had 8 brothers and 6 sisters. He was a loner who never married. However, in later years, he made friends with a number of the old-time residents of Pine Creek and became very much a part of Pine Creek. He became very much a part of the Ah Toy family and lived in close proximity to them. He was wonderful with their kids and with the kids generally around Pine Creek. As I said earlier, he could tell some quite funny or quite interesting stories. I know that he is missed very deeply by the people who have known him for all those years in the Pine Creek area and certainly by the Ah Toy family. To all of his friends, I extend my sympathy.

Mr TUXWORTH (Barkly): Mr Speaker, last week, I read into Hansard a letter from people of Tennant Creek concerning the appalling level of psychiatric care and medical care that was being offered to psychiatric, disabled and handicapped patients. The letter was signed by very concerned citizens, most of whom work in that field of endeavour. It was quite an indictment against the government and, to this day, it is unanswered. Last night, I read into Hansard a letter on behalf of Mr Graham Aked whose running battle with the Department of Health and Community Services over assistance in respect of his particular medical complaint is now legendary in the annals of this Chamber, and is likely to go on for quite some time yet.

Tonight, I would like to read into Hansard another letter from a constituent of mine concerning the Department of Health and Community Services - and I foreshadow that I have another one to read tomorrow night - which will give honourable members a pretty fair indication of the level of service and performance that is being offered by the minister to Territorians. This letter is addressed to me.

Dear Sir,

Further to my discussions with your Tennant Creek office regarding air travel to Darwin for the hospital admission of my wife, Cheryl,

and son, Courtney, I wish to advise you as follows. Cheryl had been suffering with severe head pains for a couple of months. She was admitted to the Tennant Creek Hospital on Wednesday 8 February 1989 for a lumbar puncture to ascertain the cause of the pains and these showed no obvious cause. Then she was sent home on Thursday 9 February on medication.

On Thursday and Friday, Cheryl's health deteriorated. In addition to the pain, she was feeling faint and vomiting. On Friday afternoon, I received a radio relayed call to return from work, at which time I found my wife in the casualty ward at Tennant Creek Hospital. Apart from her earlier symptoms, she had developed a numbness in her face which then continued to affect her hands, arms and legs.

At this time, it was debated whether to medivac Cheryl to Darwin that evening rather than wait until her proposed flight on Sunday. Finally, after being attended by 2 other doctors, Cheryl was given a maximum dose of pethidine and another of maxilon and allowed to return home with our 9 month-old son whom she is still breastfeeding.

I was unable to go to work on Saturday as Cheryl could not get out of bed. Each time she attempted to do so, she was weak and nauseous. On Saturday afternoon, Cheryl went back to the hospital and was given another injection by Dr Brady who contacted Dr Howard in Darwin to see if there was a need to fly her to Darwin earlier. But the arrangements stayed as arranged. Cheryl was still in pain and vomiting on Saturday night and Sunday morning so she had another injection prior to flying to Darwin and, once again, it had no effect.

Since Cheryl and our son were not going to be accompanied by medical staff to Darwin, nor met at the airport, I purchased an air ticket and it was necessary to take care of them both. Cheryl was quite ill on the plane, vomiting most of the way, and was not capable of looking after our son at all. The airline staff arranged for her to lie down at the rear of the aircraft between Katherine and Darwin and again in the taxi from the airport to the hospital.

I had not originally intended to accompany my wife and family to Darwin due to financial reasons. However, it became obvious that I must take care of their welfare. Consequently, in addition to the cost of the fares, I have lost 6 days, plus overtime, in employment. I feel that the Department of Health should refund the cost of my fares at least in consideration of the circumstances. I wish to thank you for your time in this matter and if you have any queries please do not hesitate to contact me.

Mr Speaker, the reason that I raise this is because of the last paragraph. I might add that Mr Searle was born in Tennant Creek and therefore we are not talking about a Johnny-come-lately who is trying to get into the system. Mr Searle went to the department to seek assistance with his own fare and was told that he was lucky that his wife was getting a fare and that, if he wanted any reimbursement, he would have to take it up with somebody else because there was no money available. He was told that he could consider himself pretty lucky that the department even went to the trouble of flying his wife up.

Regrettably, this sort of nonsense is occurring daily. Unfortunately for Territorians, it is not only occurring at the Tennant Creek Hospital. It is occurring all over the Northern Territory in different ways. Honourable members who listen to people in the communities have so many stories that they can relate that it just does not matter any more. I will be reading another letter into Hansard tomorrow night relating to a person from Katherine who happens to have suffered 2 broken legs. I have a further one to read at the next sittings about a man who suffered a serious injury at Borroloola and was 12 hours being transferred to the Royal Darwin Hospital.

I raise this matter particularly because I believe there has been an injustice done to Mr Searle. Probably, his family have not been treated well, but that is a medical matter. Mr Searle had to fly with his family to ensure that they travelled in some form of comfort and had care and protection. He had to pay the cost of his fare and also lost 6 days of work and overtime. For a young family, that is quite a burden. If anybody in the government wants to know why there is an exodus out of the Northern Territory, I ask him to bear in mind that incidents like this are all too frequent. The details spread through the community like wildfire. The personal experiences are known to the staff, to the patient in the next bed and to the patients' friends and family. Before you know it, the stories are folklore in the community. People take a conscious decision to pack their bags and leave because they do not need that in their lives. If we do not do something about it, people in remote areas will become almost an extinct species.

I will leave that for the time being and move on to another matter. At 6.45 am this morning, I was at a meeting and received a phone call to say that Mr Terry Nichols of T & H Bulk Haulage wanted to talk to me urgently. Honourable members would recall that Mr Nichols' circumstances were raised last night by the member for Koolpinyah. She spoke about the treatment that he had received and I did not feel that it was particularly necessary for me to become involved. When I asked why Mr Nichols was seeking to talk to me, I was told that the press from down south had been in touch with him and had suggested that he ring me. He wanted to tell me his side of the story.

This morning, I listened quite carefully to the Minister for Transport and Works' comments on Mr Nichols' circumstances. The minister said that it was important that a primary contractor of the department have a clause in the contract arrangements which ensured that a subcontractor would be paid within 14 days and that there would be a written agreement between the 2 parties without which the Department of Transport and Works could not become involved. The minister said that, as far as he knew, all Mr Nichols had was a series of haulage dockets that related to each trip. The paperwork that I have here, and I am quite happy to table it for honourable members, relates to 2 things. In the special conditions of contract agreement between the 2 parties, clause 2.3 says:

In addition to clause 9 of the general conditions, insert after clause 9.2(a) and (b) the following words: 'And that any subcontract is in writing and contains the provision that progress payments to the subcontractor shall be made within 14 days after the contractor has received payment from the principal.'

I would have thought that that was clear enough. This morning, Mr Nichols provided a statement of account which I am quite happy to table and include in Hansard if that is required. It is 2 pages and, at the back, there is a series of photocopies of weighbills for each load that has been carted by Terry Nichols. There is a summary of all the dockets. At the bottom, it indicates that the account went to G & J Trucking. It says:

G & J Trucking agrees with the above docket numbers and hours as being true and correct as to the truck hire supplied by T & H Haulage and further advises that payment will be made within 14 days after G & J is paid by Transport and Works.

It is signed by both the primary contractor and the subcontractor, who is Mr Nichols.

I am not a legal person but it would seem to me that, in the simplest sense, that is a contract between 2 parties. Philadelphia lawyers might like to drag it into court and have a legal argument over it but, from the point of view of 2 subcontractors working for the department, that document would have to constitute an agreement between 2 parties. I am sure that, if it went to the Small Claims Court, that document would be legally binding on both parties. One would expect to be paid and the other would expect to pay out on the basis of the accounts and amounts lodged on that paper. There is a further covering document which relates to the submission of the account to G & J Trucking from T & H Bulk Haulage.

Mr Nichols has had a fair amount of press coverage of his plight but I do not think that is really important. What is important is that something be done to alleviate the situation. Mr Nichols told me of another incident involving the government. It involves late payment for work that he had done on behalf of the government and at the government's request. He is still fighting about several thousand dollars that are owing to him for a job in Katherine. In his view, this is simply the last straw. It is time that the minister got on top of the situation and made provision for people like Mr Nichols to be accommodated. He has complied with the requirements of the tender. He has done what was required of him in terms of his arrangements between himself and the primary contractor to the government yet he is still whistling Dixie for his money. It is not reasonable and it is not fair that that sort of thing occurs. As someone else said in the House today, it causes enormous destruction to the confidence of small business people. When they undertake a job, they have it in the back of their minds that they will have to engage in an enormous battle with bureaucrats, lawyers or the primary contractor in order to obtain their money.

This is not good enough and I ask the minister to review the stance that he is adopting and try to do something. He can do it. Only a week ago, he was telling us he could not do anything for the Fitzgeralds' farm because it was too hard. We came in the next morning and found that the Fitzgeralds had a road. In 12 hours, it was arranged. I think it is perfectly reasonable that a similar facility be made available to sort out the dispute between Mr Nichols and G & J Trucking. Mr Speaker, my time has nearly expired and I would seek the leave of the House to make a personal explanation.

Leave denied.

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

SUSPENSION OF STANDING ORDERS

Mr TUXWORTH: Mr Speaker, I move that so much of standing orders be suspended as would enable me to make a personal explanation in relation to a newspaper article that was printed today.

Motion agreed to.

PERSONAL EXPLANATION

Mr TUXWORTH: Mr Speaker, in his comments tonight, the member for MacDonnell alluded to the editorial in the NT News published today and I would like to put on record the facts and set straight some of the misconceptions that have been put forward, in my view, in the editorial as it is written. In particular, I refer to the comment: 'Contrary to Mr Tuxworth's viewpoint, exchanging needles does not promote drug abuse'.

Mr Speaker, I have not argued that exchanging needles promotes drug abuse. What I am arguing is that providing for the exchange of needles is making it extremely difficult for the parents of young Territorians to convince their children that the use of needles is dangerous and should be avoided under all circumstances. I spoke up on behalf of many parents in the Northern Territory who have teenage children and who are saying to their children: 'Whatever you do, stay away from needles and drugs'. It is very difficult if you have a teenage child who looks you in the eye and says: 'Dad, what are you going on about? It cannot be that bad because the Department of Health and Community Services is providing the needles'.

Whatever rationale we may have for justifying the use of a needle exchange program as it relates to AIDS, the problem that is confronting the parent is a very real one and a very serious one and certainly one that parents want to have registered with the authorities concerned. I have been registering that and doing it very deliberately because it is a very genuine concern and one that should be acknowledged. During this personal explanation, I want to refute the proposition that I am arguing against the needle exchange program purely for political purposes. Those concerns that I have just outlined are very real to parents of teenage children and they are entitled to have their concerns taken into account in the same way that everyone else's concerns are taken into account.

Mr FLOREANI (Flynn): Mr Speaker, I rise tonight to support Grey Power in Alice Springs.

Mr Finch: Hear, hear!

Mr Tuxworth: Let's hear it for Grey Power!

A member: You are Grey Power, aren't you?

Mr FLOREANI: They almost called him the Chief Minister tonight.

I refer to a letter that was written, sadly, by the Northern Territory Council on the Ageing to Hon Tom Harris, Minister for Education. All central Australian MLAs have received a copy of this letter, dated 20 February. It is a protest on behalf of senior citizens in Alice Springs and it relates directly to financial cuts to library funding that occurred some 18 months ago when the former member for Flynn, the then Minister for Education, was forced to cut funding to the libraries because of cuts to funding to the Territory government by the federal government. At that time, he promised that he would reinstate the funding as soon as possible. I will read from the letter. I find it rather sad. In part, it says:

After observation, it appears that the elderly and, in many cases, invalids and sick persons are being discriminated against. These people include the old timers, the Red Cross and library members who derive great pleasure from their music tapes and up-to-date

periodicals. We firmly believe that the amount your office has saved must be a drop in the ocean compared to expenses your department incurs. We therefore politely request that you reverse your decision in cutting back one of our few remaining pleasures.

And please note, Mr Speaker, that they 'politely request' the minister to reverse that decision.

Mr Speaker, I fully support the contents of that letter and I call on the minister to investigate the possibility of reinstating sufficient funds for the Alice Springs Public Library and our older people in Alice Springs.

Mr FINCH (Transport and Works): Mr Speaker, it seems that the member for Barkly neither understands nor wishes to understand but simply wants to jump on a bandwagon. I think most of the bandwagons he jumps on have lost their wheels by now. However, I will correct some of the information that he was putting forward in regard to the Nichols' case. If he listened carefully to what was said, he would understand that the interpretation that he places on the delivery dockets of the plant hirer, who was working virtually on a handshake with a principal contractor, by no means can constitute a formal contract arrangement.

Mr Tuxworth interjecting.

Mr FINCH: I hear the interjection from the member for Barkly, made from a place other than his own chair.

Mr SPEAKER: Order! The member for Barkly, being one of the longest-serving members of this House, should be aware that interjections are tolerated to a limited extent, when made by members sitting in their own places, but not when they are walking across the Chamber.

Mr FINCH: Nevertheless, I will respond to the interjection because, as usual, the member for Barkly has jumped to a conclusion and has interpreted events in terms of what he wishes them to be rather than in terms of the plain facts. Facts are a little foreign to him. I recall that, some time ago, he did a course in something called New Age thinking which seems to provide barriers to rational, analytical processes.

A document signed by a foreman or other person on a site, stating that an item of plant is operated for so many hours, does not represent a commitment by a director of the company. A document signed by the operator of that item of plant cannot possibly constitute a formal document between 2 parties. Those parties are the principal contractor, a company, and the subcontractor or supplier of plant or equipment, being another company. One does not need to be a lawyer to understand that. All one needs is a little common sense. I know that a considerable amount of time has elapsed since the member for Barkly was in private enterprise in Tennant Creek, but things have not really changed much since then. People who wish to rely on handshakes, verbal agreements or contracts written on the back of cigarette packets etc do so entirely at their own peril.

Mr Tuxworth: It was not written on a cigarette packet.

Mr FINCH: It was on the bottom of a delivery docket. One does not have to be a Rhodes scholar or a lawyer to understand that a little more than that is required to constitute a commitment involving 2 commercial parties. Such a commitment has to state the reciprocal obligations of each party and the

definition of those obligations constitutes the contractual agreement by specifying both the goods and or services to be supplied and the payment to be received.

I am not sure whether the member for Barkly understood what I said this morning when I indicated that preliminary advice from senior officers of the Department of Transport and Works indicated that, by no stretch of the imagination, could the delivery dockets used by T & H Bulk Haulage be considered to be binding documentation. I have sought legal advice to see whether there is something which can be done. The member for Barkly should understand that it is useless to shoot from the hip in these matters. He should not involve himself in issues which are beyond his comprehension simply to try to score some political points.

Mr Tuxworth interjecting.

Mr FINCH: The member for Barkly chooses to ignore the facts when it suits him. That is typical of New Age thinking which says: 'When matters are put to you which you do not wish to accept, pull down the barriers. Barge over the top. Proper analysis, correctness and logic do not matter'.

The point of this argument focuses on exactly what Mr Nichols is or is not entitled to. For 18 months, the Department of Transport and Works has tried to steer Mr Nichols and other people who choose to enter into loose arrangements with people other than those that they can absolutely trust. The supplier of goods and services has to make the final judgment about that; it is not up to the department or the government to say who should or should not be trusted. Despite all that good advice, for the second time, Mr Nichols has entered into an arrangement with a contractor unknown to him, a small operator who came out of the woodwork. This may have been done for the sake of expediency. I do not know. I do not run Mr Nichols' business. On numerous occasions, however, departmental and ministerial officers, as well as myself, have tried to assist Mr Nichols, given that he had placed himself in a very vulnerable position. If he had not left himself in that position, he would have had simple recourse through legal process. We advised him to take that course as soon as we became aware of his problem at the start of the year.

Almost 2 months has elapsed since then and, because of the complexities and vagaries of the documentation, it has not been possible for Mr Nichols to obtain clear judgment. We trust that he will be able to do so although at this stage, because it is so late, the amount of good it will do him is doubtful. Nonetheless, as I have indicated, the department is pursuing a number of other options to help Mr Nichols, not because it is obliged to do so but simply because it is a caring department. Officers understand Mr Nichols' difficulties and the problems he faces. They are attempting to find some solutions for him and they have been extremely persistent in their efforts to help him find a way out of his current malaise.

Mr Tuxworth: Is that why he parked his truck across the road?

Mr FINCH: Mr Speaker, if the member for Barkly would think seriously about this man's plight instead of trying to make politics out of somebody else's sorrow, a characteristic which I find absolutely despicable ...

Mr Tuxworth: You would.

Mr FINCH: Mr Nichols is frustrated. He is annoyed. In fact, he is in dire financial circumstances. He would not be doing what he is doing otherwise.

Will you let me turn, Mr Speaker, to the point in question. Although the member for Barkly was not present when I spoke on this matter in the House last night, he may have heard that I pointed out that one is riding with trouble when one runs a 42-truck business on handshakes. It is as simple as that. It defies logic that people who are responsible for such major organisations should do business in this way. If people want to enter into business on the basis of arrangements of this kind, I suppose that is their risk. After all, free enterprise is about the opportunity either to make money or go broke. That is the system. It is a case of buyer beware.

We heard suggestions made earlier that we should pursue, on behalf of every supplier and every subcontractor, to the nth degree, some form of protection. How illogical! That would be absolute insanity. As I have explained time and time again, when matters of this kind have been raised in the House, for the government to do that, it would have to return to a day-labour system. Is that what the champion of free enterprise and small business is promoting? Is that the way he wishes to put the message out to the Winnellie area? Of course, what he is after is for the government to engage every employer and buy every item of plant itself. It does not matter about the free enterprise system: buy every item of plant and issue every purchase order direct to the supplier so that there is guarantee of payment. There is no other way the government can guarantee payment to every person in the contract system, and the honourable member knows that.

Mr Tuxworth interjecting.

Mr SPEAKER: Order! The honourable member for Barkly was heard in silence. I ask him to extend the same courtesy to the Minister for Transport and Works.

Mr FINCH: Mr Speaker, I do not mind the member for Barkly's interjections. However, I accept your judgment in these matters of course. The reason I welcome his protests is because it is the old story of he who protests too much. The member for Barkly will be demonstrating his genuine concern for the small business sector in the next year or 2 and I am sure that, when he runs for a seat in Darwin, and we are not sure which seat it is to be yet, that ...

Mr Tuxworth: Here is your chance to put your money on it.

Mr FINCH: Mr Speaker, on the public record, I bet one carton that the member for Barkly will run for a Darwin seat because that is certainly the feeling in Tennant Creek. For the record, I have probably visited Tennant Creek in the last 6 months as often as has the member for Barkly and, what is more, far more effectively. One of the real messages that is coming out of Barkly at the moment is that people feel a lack of representation by their member, and I can understand that. It will be a matter of record in a couple of years time. Another point for the record is that the member for Barkly is carrying this line of early elections to try to beat up some interest. In 2 years time, I will be most delighted to shout honourable members on this side of the House a cold beer at the expense of the member for Barkly because there is no doubt in my mind what his objectives are.

Mr Speaker, I offer the constructive suggestion to the member for Barkly that, if he cannot comprehend matters because of the pace of discussion in the House, he ought to sit down in the quiet hours of the weekend, read Hansard, and try to get on top of what really ought to be a matter of pure common sense. Thank goodness that this government has a heart and is not interested

in playing politics when it comes to the personal matters of a businessman who, unfortunately, finds himself in difficulties at the hands of a very improper operator, an operator who will not, under this government's regulations and requirements, have a chance of further work in the Northern Territory. These regulations are specific measures put in place by and implemented by this government on behalf of the small business sector. As a result of that policy, that man will not be working in the Northern Territory in such a capacity again and, certainly, I will be doing everything in my power to influence and persuade my colleagues interstate to hunt him out of their territories as well. My sympathy is with the subcontractor. I will do everything in my power to bring about a happy ending to this saga and, what is more, he and other small business people in the Territory can rest assured that it is only a CLP government that will look after their interests in a genuine and effective manner.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

MATTER OF PRIVILEGE
Telecast by Channel 8

Mr COULTER (Leader of Government Business): Mr Speaker, last night at the conclusion of the Legislative Assembly sitting, I viewed a recording of the Channel 8 news. In one item on that news broadcast, footage taken in the Assembly was used. It included sound of the Assembly in session and a take of a member of the public in the public gallery.

Mr Speaker, I was aware that, yesterday morning, you announced to this Assembly that you had agreed to a request from Mr Nason of Channel 8 to film library footage during yesterday's sittings. I checked with you this morning, Mr Speaker, and found that the approval was first given to Mr Nason orally after you had received a written request prior to the sittings. You informed me that you told Mr Nason by telephone that the approval was subject to the usual condition, which is that no sound be recorded or broadcast. You further informed me that, having noticed that the Channel 8 camera was filming a person in the public gallery, you wrote to Mr Nason in the following terms. The letter was addressed to Mr David Nason, Chief of Staff, Channel 8, Blake Street, Gardens Hill NT:

Dear Mr Nason,

Today you wrote to me requesting, as a matter of urgency, permission to shoot some library footage of the parliamentary proceedings. I agreed to your request, but on the understanding that such footage would be taken without sound. I should also point out that, during proceedings, it was noted that the cameraman appeared to be taking footage of the public in the galleries. Permission was not given for this and, if such footage was taken, it should not be used.

Sincerely,
Roger Vale.

Mr Speaker, I lay on the table a copy of Mr Nason's original request and your written reply. You further advised me that Mr Nason rang you about lunch time yesterday querying the contents of the letter which had been delivered to him by the cameraman and you reiterated the conditions that you had referred to both orally and in writing. Mr Speaker, in not observing those conditions, I believe that both Mr Nason and Channel 8 are in contempt of the Legislative Assembly and that they are in breach of section 24 of the Legislative Assembly Powers and Privileges Act and the order of the Assembly passed on 26 February 1985.

Mr Speaker, pursuant to standing order 83, I request that you refer the matter to the Committee of Privileges.

Mr SPEAKER: Honourable members, I have listened to the matter raised by the honourable minister. I will give the matter consideration and advise the Assembly of my decision later this day.

PETITIONS
Funding Cuts to Libraries

Mr HATTON (Nightcliff): Mr Speaker, I present a petition from 2204 citizens of the Northern Territory requesting the Assembly to take

cognisance of the detriment to the quality of services available to be provided by the Darwin public libraries as a result of funding cuts imposed by the Department of Education. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, 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, electors of the greater Darwin area, respectfully sheweth that the recent cut in funding to the book vote for public libraries by the Northern Territory Department of Education has drastically affected the ability of the Darwin public libraries to adequately service the needs and demands of the general public, especially with regard to: (a) magazines in English and other languages, (b) paperbacks, (c) cassettes, (d) Commodore 64 and children's games, and (e) newspapers. We ask that the level of the book vote be re-examined and reinstated to the level necessary to fulfil the needs of the public for the library services. Your petitioners therefore humbly pray that the Legislative Assembly of the Northern Territory take cognisance of the detriment to the quality of library services able to be provided due to funding cuts imposed by the Department of Education on the Darwin public libraries, and your petitioners, as in duty bound, will ever pray.

Aboriginal Areas Protection Bill (Serial 146)

Mr LEO (Nhulunbuy): Mr Speaker, I present a petition from 164 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the Speaker and members of the Northern Territory Legislative Assembly, the humble petition of the undersigned citizens of the Northern Territory respectfully sheweth their concern that the passing of the Aboriginal Areas Protection Act 1988, which will replace the Aboriginal Sacred Sites Protection Act, denies Aboriginal people the right to adequately control and protect sacred sites outside of Aboriginal freehold land. Your petitioners believe that such a law places decisions about Aboriginal religion (law) under the authority of a minister of state, that it negates the government policy of self-determination, that it denies natural justice to Aboriginal people by withdrawing the right to protect areas sacred to their cultural practices. Your petitioners therefore humbly pray that the Northern Territory Legislative Assembly reject the bill for the Aboriginal Areas Protection Act 1988, and your petitioners therefore humbly pray that the Speaker and members of the Northern Territory Legislative Assembly give due consideration to the above, and your petitioners, as in duty bound, will ever pray.

Strip Shows on Licensed Premises

Mr PERRON (Chief Minister): Mr Speaker, I present a petition from 10 citizens requesting the Assembly to remove strip shows out of the hotel

industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read as it is in similar terms to several petitions presented earlier during these sittings.

Aboriginal Areas Protection Bill (Serial 146)

Mr BELL (MacDonnell): Mr Speaker, I present a petition from 400 citizens of the Commonwealth of Australia requesting the Assembly to reject the Aboriginal Areas Protection Bill 1988 (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read as it is in similar terms to a petition presented earlier by the member for Nhulunbuy.

Aboriginal Areas Protection Bill (Serial 146)

Mr EDE (Stuart): Mr Speaker, I present a petition from 404 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read as it is in similar terms to a petition presented earlier this morning.

Strip Shows on Licensed Premises

Mr SMITH (Opposition Leader): Mr Speaker, I present a petition from 19 citizens requesting the Assembly to remove strip shows out of the hotel industry. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read as it is in similar terms to a petition presented earlier.

Aboriginal Areas Protection Bill (Serial 146)

Mr SMITH (Opposition Leader): Mr Speaker, I present a petition from 340 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I do not propose that it be read as its contents have been read earlier.

Aboriginal Areas Protection Bill (Serial 146)

Mr LANHUPUY (Arnhem): Mr Speaker, I present a petition from 236 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose that the petition be read.

Aboriginal Areas Protection Bill (Serial 146)

Mr TIPILOURA (Arafura): Mr Speaker, I present a petition from 285 citizens of the Northern Territory requesting the Assembly to reject the Aboriginal Areas Protection Bill (Serial 146). The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I do not propose the petition be read as it is in similar terms to petitions presented by my colleagues.

STATEMENT
Racing Industry

Mr POOLE (Tourism): Mr Deputy Speaker, in 1983, the CLP government established a Racing Industry Working Party to examine certain aspects of the Territory's racing industry. This working party obtained the assistance of an acknowledged expert in racing industry economics, Mr Peter Bennett, before drawing up its report. Using the Tasmanian Totalisator Agency Board as a model, Mr Bennett was able to estimate the potential turnover and levels of profitability of a TAB in the Northern Territory. On the basis of the working party's report, the government went on to establish the NT TAB from 1 July 1985.

During his inquiries, Peter Bennett looked also at the likely future operating costs of the Territory's 2 main racing clubs and the Greyhound Racing Association. Mr Bennett's figures were based on hypothetical situations. The Northern Territory TAB's annual turnover already exceeds expectations but profitability is less than predicted and, consequently, the share which goes back into the racing industry is also down. Complicating the situation has been a steep and unexpected rise in the operating costs of the 3 main racing clubs. Let me say in defence of the working party that its projections were made 5 years ago and significant changes have occurred in the Territory economy since that time. Each year, the 3 main clubs have been accumulating losses and have managed to keep operating only by arranging substantial bank overdrafts.

The management committees of the clubs have become increasingly nervous about their situation and, for the past 12 months, have been arguing for an increased share of TAB profits. They argue, justifiably I believe, that the racing industry employs large numbers of people either directly or indirectly, contributes substantially to Territorians' enjoyment of life and is important in terms of tourism. I should point out that the racing fraternity has considerable support for its claim to be either the third or fourth largest industry in Australia. Since 1983, the 3 major clubs have worked hard to improve their image: vastly improved facilities have been installed; stake money has risen; fields have increased in size; more meetings have been held; and interest in Northern Territory racing among southern owners and trainers has risen substantially. Territorian racing is coming of age. It could be argued perhaps that some of the investment by clubs could have been put off for a while. Unfortunately, they were in something of a chicken-and-egg situation, being unable to attract patrons because facilities were not good enough and needing more patrons to make their operations more viable.

The CLP government is confident that, given time, the Northern Territory racing industry will contribute substantially to the Territory's economy, providing both jobs and external investment. Even now, the government is sponsoring moves to establish the Territory as an essential link in the Asian racing circuit, with facilities for acclimatising and training bloodstock purchased from southern breeders.

You would be aware, Mr Deputy Speaker, that the cup carnival in both Alice Springs and Darwin are fine examples of how racing can contribute to society in terms of recreation and income. Thousands of Territorians, and tourists from interstate and overseas, now enjoy these carnivals in comfortable and attractive surroundings. Last year, Sky Channel telecast direct from Fannie Bay during the Darwin Cup week. The resultant publicity was worth many thousands of dollars above the underwriting cost and, most importantly, it put Territory racing in the big league. Many southern trainers are now

considering participating regularly in the carnival. With more sophisticated racing and betting facilities, more Territorians are expected to become regular racegoers, and a steady build-up in patronage should occur.

Much of the infrastructure necessary for the growth of the racing industry was in place by the last Darwin Cup meeting but, being concerned about the club's continued inability to balance income and expenditure, I called a meeting immediately after the carnival to discuss the racing industry's future funding. The discussions were frank and very productive, but it was agreed unanimously that Peter Bennett should make a complete reassessment of the Territory racing industry after 5 years of practical experience. On my instructions, the Racing, Gaming and Liquor Commission subsequently briefed Mr Bennett. He was asked specifically to look into the current status of the industry, to forecast its future over the next 5 years, and to suggest what levels of funding might be necessary to guarantee the continued development of a strong industry. During the preparation of his report, Mr Bennett was given access to the clubs' account books, interviewed staff and committee members, reviewed the operations of the NT TAB and spoke with senior staff of the Racing, Gaming and Liquor Commission. Apart from the operations of the 3 main clubs, Mr Bennett looked at the funding of country racing, which also has great potential in terms of regional tourism.

As you can see, Mr Deputy Speaker, Mr Bennett has provided the government with a very substantial document, which contains a detailed overview of the racing industry's economics over the past 5 years, and recommendations and projections for the next 5 years. Let me give the Assembly some idea of what is contained in the anxiously awaited Bennett Report. Very early in his report, Mr Bennett draws attention to the fact that the formula for the statutory distribution of TAB profits has favoured the government more than the industry which generates the income. Speaking about gains and revenue from the NT TAB, Mr Bennett says: 'The most significant gains have accrued to the government'.

Currently, the Totalisator Administration and Betting Act provides for 1% of TAB turnover to be paid into the Racecourse Development Fund and for the net profit of the TAB to be shared equally by the Industry Assistance Fund and Consolidated Revenue. Incidentally, towards the end of last financial year, the amount paid into the Racecourse Development Fund was 1.5% of turnover. In the longer term, this formula might be appropriate for the equitable distribution of funds, but Mr Bennett argues for change on the basis of the difficulties that will be faced by the racing industry over the next 5 years, having in mind its performance over the last 5 years.

His investigations were far-reaching and thorough. Mr Bennett looked in detail at attendance trends at NT race meetings, the amount of stake moneys outlaid by the clubs, trends in club finances, returns to owners and bookmakers and the extent of their involvement in NT racing, and the Northern Territory's TAB operations. Those honourable members who have read Mr Bennett's report will agree that it is most comprehensive. The consultant's projections for the next 5 years cover likely TAB turnover and profit, other revenue from such sources as bookmakers' fees and taxes, and club finances and likely revenue needs.

It became obvious to the consultant that the racing industry would need additional funds to remain viable and to continue to promote meetings and expand its operations. He found that the key to additional funding was the profitability of the NT TAB. His projections for the growth of the TAB are based on a 15% rise in turnover this financial year and 7.5% per annum for the

next 4 years. These targets have been accepted by the TAB Board as achievable. In fact, TAB turnover this year could be up by as much as 20% on last year. To quantify the situation, honourable members might be interested to know that, on current trends, the TAB's net profit this year should be up by about 200% compared to what it was 3 years ago - to around \$2.5m. Mr Bennett estimates that, by the year 1992-93, the annual profit of the TAB should be \$3.5m.

To provide the levels of financial incentive the racing industry needs, Mr Bennett has recommended that the distribution formula be changed to inject almost \$3.7m into the industry over the next 5 years. I am pleased to advise honourable members that the government has accepted this recommendation with immediate effect. The package will enable clubs to increase racing stock by way of a freight subsidy, reduce nomination and acceptance fees paid by owners, increase jockeys' fees, and reduce bookmakers' fees. The bottom line is that the general revenue of the racing clubs will be boosted by just over \$2m over a 5-year period. The government is confident that these initiatives will strengthen and develop every facet of the Territory racing industry and, in the long term, will bring tangible benefits to the community in terms of jobs and revenue.

This injection of funds is designed to stimulate a cycle of development. More people will be encouraged to enter the racing industry. The standard of Territory racing will be lifted, more punters will be attracted to meetings, turnovers will rise and so on. An important consideration in all this is that the funds for these government initiatives, which I know will be welcomed by the racing industry, will come from moneys generated within the industry itself by the NT TAB. This is how the government will finance Mr Bennett's recommendations. We have decided that unclaimed TAB dividends will be returned to the industry by way of assistance. Funds will be made available to the clubs by releasing money retained in the Industry Assistance Fund for contingencies and, for the 3 years to June 1993, Racecourse Development Fund contributions will be diverted to the Industry Assistance Fund. As I said earlier, the original TAB profit distribution formula would appear to be correct for the long term, but the variations I am now proposing to implement through the Treasury are necessary for the proper development of the racing industry's potential ...

Mr LEO: A point of order, Mr Deputy Speaker! I draw your attention to the state of the House.

Mr DEPUTY SPEAKER: A quorum is now present.

Mr POOLE: Mr Deputy Speaker, as I said earlier, the original TAB profit distribution formula would appear to be correct in the long term, but the variations that I am now proposing to implement through the Treasury are necessary for the proper development of the racing industry's potential in the Northern Territory. I stress that any variation to the distribution of TAB profits will be conditional on unqualified acceptance by the racing industry, a tight system of management monitoring and control, the adoption by the clubs of the Bennett Report's recommendations in their entirety, and strict adherence by the clubs to the financial parameters detailed in the report. For the benefit of honourable members, I must add that these government initiatives concern only the operating finances of the racing industry and do not preclude the consideration of any worthwhile capital development proposals which might be put forward by the racing clubs over the next 5 years.

Incidentally, our acceptance of the Bennett Report's projections and conclusions does not lift the document to the status of an official government report. However, we consider that it represents an appropriate starting point for an attempt to put the racing industry on a sounder footing. The government's adoption of Mr Bennett's financial package for the racing industry is an expression of our faith in the industry's future and its potential for development to become the Territory's third or fourth largest industry. I do not believe that any other industry in the Territory has been subjected to the level of scrutiny which enabled the consultant to lay bare, in some detail, the future financial situation of the NT TAB and the future operations of the main race clubs. Honourable members can rest assured that, with this industry blueprint in place, the results will be analysed in detail at every stage of its implementation.

Before resuming my seat, I must pay tribute to Mr Peter Bennett for the meticulous and logical way that he went about his task. He had the wholehearted cooperation of all sections of the NT racing industry and relevant government officials, and I extend my thanks to all concerned. Mr Bennett's professional approach provided the government with the kind of economic detail and expertly reasoned recommendations it needed to undertake the initiatives I have outlined today. A report such as this can only enhance Mr Bennett's already considerable reputation.

Mr Deputy Speaker, there are a number of recommendations in the Bennett Report relating to certain matters other than financial ones, and the government will address those at the appropriate time. In relation to those matters which I have raised today, I commend this report to the Assembly. Mr Speaker, I move that the Assembly take note of the statement.

Mr LEO (Nhulunbuy): Mr Speaker, this report is voluminous. However, I have taken time this morning to skip quickly through some of the recommendations, and I would like to address a couple of them very briefly. Mr Speaker, I am sure that you and the minister are aware of a great deal of controversy within the racing industry about the manner in which TAB has been steadily and remorselessly introduced into pubs. I recall that, when the concept of putting TABs into the pubs in the Northern Territory was introduced, this House was assured by the then minister that PubTAB would be introduced in communities where facilities might not otherwise be available, such as Jabiru, Nhulunbuy, Palmerston etc. However, since then, there has been a tendency for the main TAB operations to be located in pubs and the non-pub agencies have just about disappeared. That is very disappointing, particularly in terms of the development of the industry in populous areas such as the city of Darwin. The principal TAB agency in the city of Darwin is in the Mall. I think it would be a very brave member of the female population who would venture into the hotel to lay a bet.

When, as in the case of Nhulunbuy, the only place where a bet can be placed is in an establishment attached to an hotel, there is a danger of excluding what has been the main growth area in the market in other states. What are called 'fancy bets' - trifectas, doubles and quadrellas - tend not to attract the big punters. However, they do attract small bets from people who are just having a flutter, and that is the developing section of the TAB industry in other states. I believe that we are threatening that developing section of the market by placing TAB agencies in hotels when, on many occasions, clear alternatives exist. For the life of me, I cannot understand why the TAB agency in the Smith Street Mall needs to be in a hotel. Other space is available and although probably it would not be as cheap as space in a hotel, which I imagine a hotel proprietor would just about give away, it

would attract another section of the market. It would not be expensive to lease space in town to allow TAB to be a freestanding operation as opposed to its being attached to a hotel.

Mr Poole: There is one in Cavenagh Street.

Mr LEO: I accept that. However, I am sure that many customers are daunted by the prospect of going into an agency attached to a hotel. Often, the people who make small bets are women and I am sure that they would be daunted by the prospect of going into some of the establishments where TABs operate at present. That is the case in Nhulunbuy. I am not sure about the situation in Tennant Creek or Katherine, but I believe it is probably similar. I hope that the expansion of the TAB into hotels does not continue at its previous pace. I hope that that expansion is almost complete and that freestanding agencies do not become a thing of the past. If TAB operates exclusively from pubs, the turnover of TAB will suffer a great deal of damage.

That brings me to recommendation 13 of the Bennett Report which states: '(a) the major corporate objective of the TAB remains one based on the need to develop an organisation to service the needs of the adult community by providing offcourse and oncourse totalisator betting facilities'. The 'adult community' refers to the entire adult community. If its needs are to be serviced, we need to be sensitive to the sensibilities of some members of the adult population. Some people, male and female, can feel very threatened in the environment of some of the establishments in which TABs have been located.

Recommendation 13(b) further recommends that additional sub-objectives for the TAB be defined 'to ensure the continued maintenance of revenue growth to the maximum extent possible for the benefit of the racing industry'. That, of course, was the entire purpose for which the TAB was set up. I have said in this House before that I believe, and I still maintain that belief, that the Totalisator Agency Betting Board, wherever it needs to be fitted in for administrative details, should have representation from the industry on it. I have made that statement in the past. Indeed, I have pursued that by way of a proposed amendment to the act in the past. I hope that the minister will consider that. I think previous ministers were daunted by the prospect or had accepted the advice of the Racing, Gaming and Liquor Commission that perhaps that was not a line to pursue. I ask the minister to investigate it and to investigate the boards in other places around Australia, and to contemplate the prospect of industry representation on the TAB Board.

That debate has continued over an extremely long period and honourable members would be aware that the racing industry cannot be split up and the TAB, the racecourses and the bookmakers regarded separately. We have to consider the situation in industry terms. Within Australia, the racing industry is a monstrous industry which has many components. Of course, there is the TAB, and there is what happens oncourse, and those are components of the industry but, if we do not have an overview of the total industry, unfortunately, some components may not be given the same degree of representation as other components of the industry are. That is why I believe it is important to have industry representation on the TAB Board. That occurs with most of the boards throughout Australia, and I believe that it is necessary for that to happen in the Northern Territory.

Mr Speaker, I do not have much more to offer by way of comment on the statement. I suggest to the minister that, as I am sure he will appreciate, TABs can become extremely sensitive machines for generating finance. I am

sure he is aware of the turmoil in Queensland that was generated by some perceived, if not actual, activities of members and, indeed, the former chairman of the board in Queensland. They are extremely sensitive money-generating boards because they are very much in the public eye. I would adjure the minister to consider very closely those persons who are members of the board because they will be assessed by everybody in the community, like it or not. Whilst I am perfectly happy with the character of all of the persons involved with the board, the Northern Territory has a very small community, and it would be less than advantageous to TAB in the Northern Territory if it were ever perceived as being in any way politically tainted. That is what happened in Queensland and it was a real tragedy. It did a great deal of harm to the credibility of TAB in Queensland, and I would be loath to see that happen in the Northern Territory.

Mr Speaker, I will wade through this report. It is voluminous. I have every reason to expect that it is an extremely professional report, and I will certainly be making comment on any other matters that are contained in the report at a future time in the Assembly.

Mr COULTER (Industries and Development): Mr Speaker, as a minister who previously has held responsibility for the Racing, Gaming and Liquor Commission, I rise to my feet to congratulate the minister on bringing the statement and the report to the Assembly in the time that he has. Racing has been a growth industry, in terms of the TAB in particular, and I would like to pay particular tribute to the board for a job well done and, of course, to Robin Flannery who has worked hard and devoted a great deal of his time, beyond the call of duty I believe, to ensure the success that we have today with the Northern Territory TAB. That turnover figure can very easily illustrate the amount of time devoted and the faith and commitment that I spoke about in the debate on the Trade Development Zone recently. I do not share the downside views expressed by the member for Nhulunbuy who said that he does not see any prospect of expansion in the industry beyond what has occurred.

If we look at the first year of operation, the TAB turned over \$18.557m and, just 4 years later, that turnover stood at \$37m. That is an incredible growth pattern in that time. Indeed, as the member for Nhulunbuy said, it is an industry and it should be treated with the respect due to an industry. I do not have the most recent figures, but I understand that the Victorian TAB has something like \$1200m turnover now and that is increasing, and New South Wales has crossed the \$1000m threshold also. It has gone to \$2000m, and Queensland is approaching \$1000m. I think it has a turnover of something like \$800m or \$900m. We are talking about a very large industry and, to bring that back into perspective, as I mentioned in the House yesterday, the entire Australian wheat crop is worth \$1700m and the Victorian TAB is turning over that amount of money annually as well. That puts in perspective the sort of money and the industry that we are talking about. Indeed, if we add the multiplier effect in terms of the billions of dollars that are spent on racehorses in Australia - and the millionaire sales occurred recently - and the amount of wheat that is fed to racehorses, that might give an even clearer picture of what the industry is really worth to Australia and, indeed, is worth to the Northern Territory.

With regard to the TAB and the siting of PubTAB, when I was the responsible minister, I took my advice from a personality, indeed a Minister for Racing, whom I visited and who gave me a great deal of advice on how to bring in PubTAB. Of course, I talk of none other than that great gentleman of Queensland racing and the minister responsible for racing in Queensland,

Russ Hinze. He certainly is devoted to the racing industry and he has many hundreds of horses himself. He told me not to have separate PubTABs because they would not be utilised. He said they should be on the bar beside the cash register because that was what the punters wanted. The fact that the turnover figures have doubled in 4 years is an indication of that.

In the Northern Territory, they are off licensed premises. Many of them have separate entrances. One does not have to go through the hotel to enter the PubTAB area. In respect of the suggestion that the agents have lost out to PubTAB, many of the agencies have a PubTAB as a subagency and thus we have combined the best of 2 worlds wherever possible. Of course, it is a coincidence that the first PubTAB was introduced in Palmerston. It became the model for the rest of the Northern Territory. In respect of having more agencies that are not in hotels, the Cavenagh Street agency was operated by TAB and will go to a private operator within a matter of weeks. Thus, the honourable minister is heading in that direction and doing a great job.

I believe that we are only at the beginning of the development of the racing industry. Mr Deputy Speaker, at a previous Darwin Cup meeting, there was a hospitality table at which were many of your Asian friends. I believe that the market to Hong Kong, Singapore and Malaysia is as yet untapped by us in terms of having invitation stakes, bringing people from those regions and, indeed, developing an Asian racing circuit with Darwin playing an integral part. Yesterday, I was wearing my Asian racing conference tie and I wish I had worn it today because this is a very significant day. There are some difficulties with developing invitation stakes and a racing circuit because of the quarantine regulations. They do not have that problem in Malaysia and Hong Kong. Horses are taken from Malaysia to Hong Kong for invitation races on an annual basis.

However, we are working on some developments. Indeed, I have been ridiculed by a well-known turf writer for suggesting the staging of horses through Darwin to overcome an affliction of horses that is known as 'the puffs' or 'dry coat' as a result of which the horses have trouble adapting to tropical conditions. It affects their ability to sweat and that causes problems. The opportunity is there to stage horses through Darwin and even to trial horses in Darwin. Because of the minimum stake earnings which apply in Hong Kong in particular, a horse must have a track record. Racehorses in Hong Kong are balloted and therefore you have to be lucky even to have the horse's name pulled out of the hat. When the owner has spent \$20 000 or \$30 000 on a horse and it has cost him \$10 000 to get it to Asia, he does not want to find that it will not run. We have great potential for developing that side of the industry and I have been conducting inquiries in Hong Kong, Singapore and Malaysia. I believe that Northern Territory grain growers and feed mills have an opportunity to supply feed to those areas as well.

The other thing that should be developed is residential stabling. Every racetrack in Australia has stable facilities in close proximity. We do not have that facility in the Northern Territory although it is developing in Alice Springs. I understand there is a subdivisional plan for Pioneer Park to develop further its residential stabling facilities. There are some preliminary conceptual plans on how that may be done in Darwin. Residential stabling would lift the industry considerably.

The Northern Territory government has put a considerable amount of money into the racing industry over the last 3 or 4 years. I will mention some of the facilities. The Alice Springs facility has been extended and upgraded considerably. The fact that it now has a reticulated watering system and a

vastly improved track surface is good news. The Laurels Bar and the Winner's Circle at Darwin also enhance the quality of infrastructural development there.

The racing clubs in the Territory have combined their debt and are paying it off. The industry has been very well looked after and Mr Bennett referred to that. The member for Sadadeen says that it is at the taxpayers' expense. I can assure him that, in terms of receiving support at the taxpayers' expense, it is not alone. The racetrack at Katherine has undergone large-scale development. That was done largely by a self-help organisation, but considerable government money has been poured into the Katherine facility and the Katherine Turf Club has done an excellent job.

In closing, I will say that one of the areas which we should be looking at in the Territory in terms of further development is the bush meetings and carnivals which are held at places such as Pine Creek, Adelaide River, Timber Creek and Brunette Downs. I believe that they are a vital fibre in the infrastructure of racing in the Northern Territory. Those meetings, with their picnic-day atmosphere, have been part of our history since the first horses came into the Northern Territory. In the debate concerning access to the Fitzgerald property, I spoke about the Herbert brothers of Koolpinyah Station who used to provide all the horses for the combined services race meetings which were run here during the war. I am very proud of the history of racing in the Northern Territory and the bush carnivals and picnic meetings, which have taken place over many years, provide a great opportunity for people to get together.

The Bennett Report addressed many issues, but I conclude by saying that we will never satisfy everybody in the racing industry. Trainers, owners, race committees and punters become excited or upset about different things and trying to satisfy them all is a very difficult balancing act. Ministers have a very difficult job in endeavouring to satisfy the needs of all of the groups involved in the industry. However, the Bennett Report goes a long way towards answering some of the vital questions which the government has to address and, once again, I commend the minister and everybody associated with the racing industry. I believe that we have not seen the end of its development. We are just at the beginning.

Mr PALMER (Karama): Mr Speaker, I commend the minister for tabling the Bennett Report and for his statement. Unfortunately, however, I do not believe that the report goes far enough or addresses the basic problems faced by racing in the Northern Territory or in Australia for that matter. It cannot be denied that the racing industry has a net positive economic effect. One has only to witness the number of tourists who come to town for the Darwin Cup Carnival. That has a considerable effect on the economy of the Northern Territory and of Darwin and should be supported and encouraged. One of the major problems with the racing industry is the cost of training. Those leather bags of pet meat cost something like \$200 a week to keep. Trying to keep one of those creatures is a considerable impost on the normal man's wages.

Mr Ede: Just betting on them is an impost.

Mr PALMER: Especially if you bet like I do.

One way to encourage growth in the industry is by encouraging direct participation through horse ownership. Perhaps the racing clubs could look at a system of sponsoring or subsidising training fees. Owners are a vital part

of the industry and, obviously, the industry is diminished when there are insufficient numbers of them.

Mr Collins interjecting.

Mr PALMER: Obviously the member for Sadadeen will be rising to his feet later to speak about this report and the impact it will have on the industry.

The participation of owners in the industry is its base and the nub of its viability. Without owners, the industry cannot exist. Increasingly, however, racing is the sport of kings - not so much royal kings, but certainly financial kings. I believe that, with a modest training subsidy, more and more people would be able to see their way clear to owning horses. I recall my own experience. I was offered a 3-year-old colt from a well-known stallion. I was offered that horse free of charge, including free transport to Darwin. However, what I could not afford was the cost of training it, and that was why I rejected that opportunity to become directly involved in the industry.

I believe that the Darwin Turf Club in particular should look at its racing calendar. I do not believe there is a racecourse in Australia which carries the load which the Darwin Turf Club carries. Although it may have been reduced recently, it was in the order of 60 meetings a year. One only has to walk around Darwin in the months of November, December and January to realise that the weather is harsh. It cannot be denied that that weather has a detrimental effect on horses. Everywhere else in the world, the industry is run on a seasonal basis. It seems that Australia and New Zealand are the only places where the racing industry cannot get its act together to operate on a seasonal basis. Perhaps the weather down south is not severe enough, either in summer or winter, to warrant the closing down of the industry. However, I believe that the wet season and the build-up to the wet season in Darwin are severe enough and create such distress to horses that an off-season is warranted. That would be in the interests of the horses and would help to rationalise the operations of the club which would be able to offer better prize money.

The Deputy Chief Minister referred to bush race meetings. There is no doubt that one of the great things about the Australian outback and its character is the bush race meeting. People who attend those meetings certainly enjoy themselves. However, I will issue a caveat to those wishing to take part in bush race meetings: they are not very honest events, let us face it. People have a great deal of fun but, in some ways, the meetings epitomise the Australian spirit. Things go on at bush race meetings which perhaps would not be accepted at Royal Randwick. A dear old friend of mine, now deceased, claimed to have a horse that won 5 maidens at bush race meetings. He claimed that those meetings were the soul of racing where all the honest people went to ensure that their living was gleaned honestly.

I believe that the bush race meetings should be supported and that their true spirit should be maintained. There has probably been rather too much intervention on the part of the principal clubs in trying to dictate to bush race committees how they should run their meetings. Bush race meetings have a part to play, probably a growing part, in the racing industry overall. They should certainly be supported, both fiscally and through the attendance of honourable members.

I hope that the minister will be able to take on board my concerns about the cost of training. I believe that many people in the industry will echo my

opinion that it is primarily the cost of training and keeping horses which prevents many people from participating in the industry.

DISTINGUISHED VISITOR
Mr B.F. Kilgariff

Mr SPEAKER: Honourable members, I draw your attention to the presence in the Gallery of Mr Bernard Francis Kilgariff from Erldunda Station in central Australia, a former Speaker of this House and a former Senator for the Northern Territory. On behalf of all members, I extend to him a very warm welcome.

Members: Hear, hear!

Mr TUXWORTH (Barkly): Mr Speaker, I rise to respond to the paper presented by the honourable minister and, in making my comments, I would like to say that I have not had the benefit of reading the Bennett Report. I will most certainly take the opportunity to do that because, as some honourable members have already said, it does not matter where you live in the Northern Territory, the racing industry is very important to the community. Certainly, Barkly is no exception, with the Borroloola Races, the McArthur River Races, the Daly Waters Races and Rodeo, the ABC Races at Brunette Downs, Renner Springs and Tennant Creek St Patrick's Day. Everybody has some sort of interest in racing in some form or other and the advancement of the industry over the years has had its ups and downs.

This report is very important for the industry. Many people in the industry have told me that, if this does not work, we really have a big problem with racing as we know it today. Honourable members would remember that members of this parliament were told in the 1970s that, if we did not get rid of bookmakers, introduce TAB and provide some level of guaranteed income to the industry, then there was little chance that racing would ever get off its knees. Truly, TAB has replaced bookmakers, and I think the level of percentage that goes to the industry from the TAB has been increased once since it was introduced and here is a further proposal to increase the percentage again.

I note that the minister said in his paper that Mr Bennett had recommended that a further \$3.7m be put into the industry in the next 5 years to try to overcome some of the industry's financial problems. I am more than happy to support that because getting the industry up and going will not be easy or quick. However, there are people who have reservations and many of them are very keen on racing and would love to see the industry flourish. It does not seem to matter how much money we pour into it, ensuring the survival of the industry seems to become more difficult each day. These industry people are worried about the amount of effort that has to be put in for the industry to survive. I am talking about horse breeders and racing people who have a great love for the industry. They also have an underlying economic understanding of the industry and realise the taxpayer and the betting community cannot be expected to continue to pour endless amounts of money into the industry without its getting on its own feet at some time. It is fair to say that everyone is concerned about the level of attendance at racing industry functions. Whether we are talking about bush meetings, the Central Australian Race Club, the Darwin Turf Club, the Katherine Races or the St Patrick's Day Races, the people in the industry are feeling the pinch. It is difficult to get people out of their homes.

In the last 5 years, with the effects of technological advances in the Territory - the satellite, Skycom, better radio facilities, videos in the home, improved print media etc - it is a problem to entice people out of their homes to a race meeting or anything else. Now everybody is turning to the tricks of the trade to lure people to the various functions that they operate. The racing industry is no different. I share its concern.

In his statement, the minister said: 'This injection of funds is designed to stimulate a cycle of development. More people will be encouraged to enter the racing industry, the standard of Territory racing will be lifted, more punters will be attracted to meetings, turnovers will increase etc'. All of that success is based on getting people out of their homes or their current environments to attend race meetings and support the industry. Probably there is no quick fix to the problems which the racing industry is facing in relation to patronage. TAB was supposed to be the answer to many problems. Whilst it has certainly helped and has provided a source of funds to the industry to help it to sustain itself, I know that many people in the industry do not believe the present situation can continue. I hope sincerely that the moves proposed by Mr Peter Bennett and the money which will flow as a result of the government's acceptance of his recommendations will bring the benefits which the industry needs to get it off its knees and moving forward.

However, at the end of the day, we will still have to come to grips with getting people out of their homes and out to the racetracks. The problem is the same whether at Brunette Downs, Katherine or Darwin. A Brunette Downs race meeting or rodeo was a really exciting experience 5 or 10 years ago and as many as 2000 people would attend. Not only was it a tourist attraction and a community event, it was also the outing of the year for people who lived within a radius of 400 km. Despite its history and the fact that it is held in the middle of June, that meeting is now becoming very difficult to run and patronage is sometimes down to a couple of hundred people, and that is disappointing for everyone concerned. I believe the race meeting at Brunette Downs will go on for all time because so many country people have horses and love racing. Whether there are 2 spectators or 2000 spectators, they will hold the meeting because it is part of their relaxation and enjoyment. Of course, that should be encouraged and maintained.

Patronage at the Renner Springs meeting has now fallen to such a degree that the meeting has been moved to Tennant Creek to try to stimulate crowd involvement and participation. I think that has been very successful, to a degree, particularly because the amenities are much more pleasant at Tennant Creek than they are at Renner Springs during very hot and dusty weather. That is a benefit and I do not doubt that, at some stage in the future, Barrow Creek may move its venue to a town to try to stimulate the level of support and patronage for the Barrow Creek race meeting.

I welcome the minister's statement and the report. I ask him if it is possible for me to have a couple of spare copies of the report because there are some people in my electorate who would be most pleased to have copies for their own benefit because of their interest in racing, and I would say to the honourable minister that, if he has the time and the will to visit some of the people in my electorate, who in many cases have been pioneers of racing in the Northern Territory, they would be glad to discuss the problems with him. They race not only in the district but at Alice Springs, Darwin and Katherine and they have a major impact on the industry as a whole. Without people such as the constituents of mine to whom I am referring, and I mention the Hagan brothers in particular, Northern Territory racing does not have a prayer. I ask the minister to let me have a few extra copies and to meet with

the Tennant Creek Racing Club and other people in the community who are interested in racing because they too are concerned and keen to make the racing industry succeed, and I wish them all the best with their endeavours.

Mr POOLE (Tourism): Mr Speaker, I thank honourable members for their comments. A number of items were commented on and I want to reinforce a few points. The member for Nhulunbuy made much about the general public's willingness to accept the idea of TAB agencies being established on licensed premises. I want to make it quite clear to honourable members of this House that we have approximately 30 agencies throughout the Territory and there is an almost equal split between TAB agents and subagents that are off licensed premises and those that are on licensed premises. I assure the member for Nhulunbuy that the TAB Board is very conscious of the fact that many people, particularly women, do not like to go to licensed premises to make a bet. There is no indication from the TAB Board that it is considering going overboard in respect of establishing TAB outlets on licensed premises.

An interesting comment was made this morning during question time. The member for Nhulunbuy asked me a question with regard to the granting of a TAB agency at Nightcliff. It is unfortunate that no opposition members are present at the moment to hear my comments because I wish to make a very valid point. I was asked whether or not the Nightcliff TAB agency was advertised. In fact, it was not. It is worthy of note that the TAB Board, for which I have the highest respect, does not suffer from any political taint despite the comments of the member for Nhulunbuy.

The board advertised the Casuarina agency following the resignation of Mr Bruce Ross. It received 27 applications and 9 applicants were interviewed. The 9 applicants included 3 existing agents and 3 casual staff members. The interviews were conducted by senior TAB staff: Bob Douglas, the Operations Manager, Keith Boakes, the Finance Manager, and Miss Marion Gabrielle, the Race Day Manager. That panel made unanimous recommendations which were approved by the TAB Board. The existing Nightcliff agent, Mrs Lyn Dale, was offered and accepted a transfer to the Casuarina outlet. The advertisement for Casuarina quite clearly carried advice that, if a transfer occurred, persons responding to the advertisement would be considered for consequential vacancies. The board and the panel agreed that Mr Kevin Norton was the best applicant. He was offered the vacant Nightcliff agency which he has accepted.

I stress to members of the opposition that - and it is a pity that they are not here but, hopefully, they will read the Parliamentary Record - at no time was I queried about what I wanted or what the government wanted with regard to the Nightcliff agency, and nor should we have been. Members on this side of the House have complete faith and trust in the people whom we employ. I congratulate the TAB Board on its impartiality.

To come back to the Bennett Report, the member for Karama commented on owners' and trainers' costs. I am quite happy to look at that. That is one of the reasons why we are trying to introduce a planned management structure whereby we can consider, dollar-by-dollar, how we will implement the recommendations of the report with the cooperation of the race clubs. It may well be that, as time goes by, there will be some aspects of the report that we do not want to implement, but it might give us the opportunity to consider doing something in the training area in respect of costs.

To pick up some of the comments of the member for Barkly, one of the problems with racing in the Territory is the fact that, over the years, the government has been reasonably generous to the industry, particularly in the

rural areas, and has provided some excellent facilities. The member for Barkly should well remember that, when he was Chief Minister, he spent some \$260 000 building a race club at Tennant Creek. It is indeed unfortunate that not enough use is made of that track. The Racing, Gaming and Liquor Commission will try to correct these sorts of things over the years.

Mr Speaker, the tenor of the comments made today was positive. The government is aware that the racing industry employs over 500 people and that, through its indirect effects, probably it accounts for the employment of 2500 to 3000 people throughout the Northern Territory. It is an important industry. It is particularly important to the tourist industry. Everybody acknowledges the tremendous success which the Darwin Turf Club has had in attracting visitors to the Darwin Cup Carnival. There is not a better day in Australia than Darwin Cup Day, when 3000 or 4000 people come from interstate to enjoy themselves at the track.

Mr Speaker, I believe that honourable members are generally in support of the Bennett Report recommendations and I thank those who have contributed to this debate.

Motion agreed to.

MATTER OF PRIVILEGE
Telecast by Channel 8

Mr SPEAKER: Honourable members, this morning, the Leader of Government Business raised, as a matter of privilege, the contents of the Channel 8 news broadcast yesterday evening, claiming that the broadcast contained matter which had been broadcast in contravention of the restrictions which I had imposed when authorising Channel 8 to televise proceedings in the Assembly yesterday morning. The Leader of Government Business claimed that Mr Nason, Chief of Staff of Channel 8, and Channel 8 itself, were in contempt of the Assembly in that they were thus in breach of section 24 of the Legislative Assembly (Powers and Privileges) Act and the order of the Assembly passed on 26 February 1984. I have viewed the videotape in question and I refer the complaint to the Privileges Committee. I will advise the committee accordingly.

MOTION
Committee of Privileges

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that, for the purposes of its inquiry into the broadcasting of material on Channel 8 news on Wednesday 22 February 1989, the Committee of Privileges be empowered to send for persons, papers and records and to move from place to place.

Motion agreed to.

STATEMENT
Aboriginal Employment and Economic Development

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I rise to make a statement on Aboriginal employment and economic development. One of the major problems facing the Northern Territory government is the need to increase the number and scope of Aboriginal employment opportunities. The government's Aboriginal employment and economic development policy and strategy is a positive step towards improving the level of participation of Aboriginal people in the Territory work force, particularly in remote communities.

The lack of meaningful employment is not only a problem in itself, it creates problems. The unrest we are seeing in some remote communities can be traced directly to the feelings of frustration being experienced by young people finishing school with a good education and then finding there is no job, nothing to do and little hope for the future. When we talk about Aboriginal Territorians, we are not talking about some small minority group. We are talking 22.4% of the Northern Territory population. No community, least of all one as small as our own, can afford not to utilise the potential skills and initiative of almost a quarter of its people. That is why this policy and strategy is one of the most important initiatives this government has taken.

I do not claim that this policy can provide training or employment for all our Aboriginal people. In this respect, our remote communities in the Northern Territory are little different from outback communities all over Australia. There are simply not enough jobs to go around. That means that some of those who want to work will have to move to larger urban centres or there will need to be a greater emphasis on developing the unique employment opportunities which exist on remote communities. I am talking about such activities as arts and crafts, tourism and service industries: all of which local people can participate in with the right training, instead of importing somebody or not doing it at all.

Many Aboriginal people have the additional problem of wanting to retain their traditional tribal links and ceremonies, and they are unwilling to move away from that influence. We cannot force people to move, but we can maximise the opportunities available. Our Aboriginal employment strategy is designed to ensure that as many local people as possible are trained and qualified to take up those opportunities when they present themselves. I outlined this policy to the House last year, but some of the aims are well worth repeating. We want to promote Aboriginal economic independence and reduce the dependence on what Aboriginal people so aptly describe as 'sit-down money'. We must find the means to give Aboriginal people the opportunity and the means to achieve income equity with other Territorians.

There needs to be employment equity. The employment level in the Territory is more than 70%, yet only 25% of Aboriginal Territorians presently have jobs. Such an imbalance must be redressed. There is any amount of proof to show that it is pointless attempting to impose outside ideas, values and work ethics in Aboriginal communities unless the initiative has the full support of the people. This clearly is the case with those enterprises which have been successful. The expanding arts and crafts industry is just one such example. It is an enterprise with which Aboriginal people identify and they can have influence and some control in all aspects of the industry, from production to marketing and retailing.

The Northern Territory government's role in the creation of existing jobs should not be underestimated. Community government has opened up opportunities as local people have become responsible for setting their own priorities and determining the future of their communities. Many community councils have adopted entrepreneurial roles in such areas as contracting, retailing and welfare services. This government's innovative development strategy is developing new initiatives in conjunction with the land councils to create further employment opportunities. This has led to several coastal communities showing an interest in the trepang and fishing industries. As I mentioned in my earlier statement on this issue, we were looking for Aboriginals to tell us what they saw as viable enterprises with potential for employment generation. We have had an excellent response to this approach.

Aboriginal communities are identifying enterprises and training programs which will create jobs and generate income and which are sufficiently unique to be economically competitive. Some of the ideas have been included in the program and I will discuss some of them. I will take first the Employment Access Programs. Many Aboriginal people were concerned that they were not qualified to take up jobs presently available. The access programs will be offered in the Katherine and Arnhem regions for people who want to work but whose levels of basic skills presently make them unemployable. The programs provide opportunities for school leavers, the unemployed and those seeking to re-enter the work force to compete for those job opportunities. Employment access is designed to make people aware of such opportunities, to upgrade their literacy and communications skills, provide practical hands-on experience and make potential employees aware of wider community work ethics. I see the programs as a great opportunity to include many more Aboriginal people in existing industry and in future developments in mining and tourism. The government is putting particular emphasis on this part of its strategy which will benefit 40 young Aboriginal people and will cost more than \$120 000 for a full year.

Secondly, tourism management courses are planned and will be conducted at Borroloola, Hermannsburg, Barunga and Nguiu. The communities I have just mentioned have been involved with tourism for some time but, until now, they have relied on outside help with management and administration. The courses will provide skills in office procedures, accounting, public relations, management, and accommodation and kitchen administration. Training will be provided at each of the communities and will cost \$26 000 for the total program. More than \$60 000 has been allocated for other tourism-oriented initiatives - specifically, community-based tourist guides for 10 communities ranging from Milikapiti to Yulara and from Nhulunbuy to Tennant Creek. A total of 180 people will benefit from this tourist industry training. The potential spin-offs for the communities and the Northern Territory are enormous.

Thirdly, a butchery course is under way at Palumpa which will allow the community to increase the value of its cattle by slaughtering and packaging locally. There are several potential markets in the area and the operation will increase the employment opportunities in the area.

Fourthly, training for 60 plant operators is to be conducted at Hermannsburg, Yuendumu, Wadeye and Palumpa. Most people are unaware that possibly the most successful income-generating enterprises presently operating in remote communities have been involved in road construction and maintenance. Our road network is vital but its upkeep is immensely expensive, particularly the cost of moving staff and machinery to job sites. The advantages of a contractor being on site 24 hours a day are obvious, as are the benefits that flow from employment and the income generated in the community.

Courses are under way or planned for stock handlers, arts and crafts development, bush furniture manufacture, store management, building restoration, and sewing skills. In addition, we are continuing the group intake schemes for both the private and public sectors which have proved so successful in giving young Aboriginal people an introduction to clerical employment. The government has committed more than \$750 000 to 18 different courses and programs which will benefit 452 Aboriginal people from all parts of the Territory. Further applications have been received and initiatives such as tertiary education for Aboriginal youth workers and a horticultural trainee scheme and enterprise workshop for the Tangentyere Council are under consideration. I believe that the most positive aspect is that these new

initiatives have not come from government but from the Aboriginal people themselves.

As I said earlier, one of the aims was to ensure that the programs had the full support of their clients. I am also looking at ways of developing further ideas which we can ask communities to consider when they are looking at possible future employment. One possibility is the establishment of informal advisory groups in Alice Springs and Darwin. There are many people in the Territory who have vast experience in the field of Aboriginal employment. I have approached a wide spectrum of Aboriginal and non-Aboriginal people who have shown their commitment to employment development and asked them to consider participating in a seminar aimed at providing further potential employment options. It is not an easy task, and my department has performed particularly well, ensuring that government initiatives taken last year have been translated into actual training this year. Staff have visited communities, responding to requests for information and training programs. They have had to ensure that the training which is being provided or which will be provided meets the needs and expectations of the communities.

When talking of my department's efforts, it would be remiss of me to fail to pay particular tribute to the staff of the Northern Territory Open College. The demands which have been made on them to tailor training and new courses for the different communities have been considerable. The high level of cooperation which has been achieved between my department and the Department of Education has done much to improve the possibility of success of many of these ventures. I make this point because not all initiatives will succeed. It is pointless to have the unreal expectation that we will solve the problems of Aboriginal unemployment overnight. As in any business, some good ideas will fail for a variety of reasons. Many small businesses throughout Australia fail within their first 12 months despite the efforts and enthusiasm of the owners. This program will have its share of failures also. We should be prepared for this to happen and accept it as an investment in the future.

There will be those who will claim that training schemes in the bush are a waste of money. They are far from being that. Even at this early stage, we have shown that the government and Aboriginal people can work together to achieve a much higher level of employment for local people in the remote parts of the Territory. I do not claim that we have discovered some patent cure-all for the chronic unemployment which exists in Aboriginal communities. What I do claim is that, rather than work out what we believe Aboriginal people should do, we are responding to their requests for training in areas which should be financially viable and could generate income and employment. The economics and remoteness of many communities dictate that they simply cannot compete in some activities, despite their interest and level of skill. We are finding, however, that people can work through those drawbacks and are coming forward with ideas which are practical and give this government the opportunity to assist by providing training and advice.

The Northern Territory government's Aboriginal Employment and Economic Development Policy and Strategy is the first response by a state or Territory government to create initiatives towards increasing the number of Aboriginal people in long-term employment. It draws together a number of Territory and federal departments and, most importantly, Aboriginal people, at a level of cooperation which is both promising and gratifying. I believe we are taking a very positive step along the road towards genuine Aboriginal equity in employment.

Before I move that the Assembly take note of the statement, I hope that we will elicit some comment from the opposition. Yesterday, I made a statement about the School Leaver Training Program which is an issue that the opposition would have us believe it has a great deal of interest in. However, it put it away in the too-hard basket yesterday.

I note that the member for Stuart had a good deal to say during the debate on the Muirhead Report about the demand for training from the Aboriginal people of his electorate. In the last 10 minutes, I have outlined some very positive steps towards addressing his concerns. I am sure we would all like to hear his comments on the government's initiatives. These are programs we are putting into place right now. If there are matters which have not been addressed or that opposition members believe we are tackling the wrong way, let them say so now. I believe these programs are far too important to have some carping criticism levelled at them in 3 or 5 months time if something does not go quite the way our critics opposite believe they should.

Mr Bell: If you are going to approach it in that way, Terry, you can bet you are going to get it.

Mr McCARTHY: That is what I hope for. Mr Speaker, I move that the Assembly take note of the statement.

Mr LANHUPUY (Arnhem): Mr Speaker, in rising to speak to the minister's statement, I would like to say that, once again, it is pleasing to note that the Northern Territory government is moving in a direction which the opposition has encouraged it to take over a long period. I was pleased to hear that the honourable minister is calling for a seminar, hopefully in the very near future, to obtain advice from various people in relation to creating mainstream employment opportunities for Aboriginal people in remote areas of the Northern Territory.

This morning, the Minister for Education told us that Kormilda College had a very high enrolment of students this year. That is good to know and I must admit that I support the type of program which the college has embarked on. However, my concern is that people in the remote areas have sought assistance for some time from the various programs and agencies that are operating in Aboriginal communities to create employment at the local level. We seem to send many people to institutions such as the South Australian Institute of Technology or colleges in Cairns. Should we keep pumping in money to send people outside the Northern Territory instead of creating opportunities for tertiary studies in the Northern Territory? I believe the Territory government should aim at establishing institutions to enable Territorians to remain in the Northern Territory and return to their communities to work. At the moment, we are not doing that. This government seems to send people interstate to obtain training and is not creating jobs for them at the end of their training. That is why many people come into Darwin to try to find work. They are given no assistance and some of them develop feelings of frustration because of the nature of the departments that they have to deal with. In the end, they find themselves in an embarrassing situation.

Mr Speaker, I could tell you about a specific person with whom I have had a long association. He has never missed an opportunity to take up a training program wherever it may be. That is the type of person whom I am concerned about. We have policies coming out of our ears from this government in relation to the creation of opportunities for Aboriginal people in mainstream employment such as the public service.

I suggest that the minister look at some of the programs that he intends to implement in the communities and emphasise the fact that the training will benefit not only the individual but the whole community and provide spin-offs for it. I suggest that the minister look at organisations like the Arnhem Land Progress Association and the outstation resource centres which are crying out for funding. They are doing a good job. Attempts must be made to implement, in existing organisations, programs and incentives which will provide employment for young people when they leave school.

That is the main aim of most Aboriginal people when they come to school. When I went to school, my first aim was to return to and work within my community. I have always had that aim and I am sure that many other Aboriginal people have the aim to assist their own families at their own homeland centres. I suggest to the minister that he plug into existing operations and provide incentives for them to gather up the young people so that they can remain at home in Groote Eylandt, Numbulwar, Milingimbi etc instead of coming to Darwin and getting into trouble with the police.

That could be one of the causes of the problems at Port Keats. That community has a very high number of unemployed people. I was pleased to hear that there are some programs in the pipeline that will be implemented there. Let us hope we do not receive again the bad press that we had in respect of that community as a result of the lack of employment and the lack of motivation by the Territory government and the people themselves.

Quite often, I have spoken in this Assembly in relation to the establishment of private industries on Aboriginal land - for example, crocodile farms. The land is there and I believe that it is time for the government to say to the land councils: 'We have these advisory bodies. We are in the process ...'

Mr Collins: The land councils?

Mr LANHUPUY: Mr Speaker, to respond to that interjection, the land councils are responsible for the land on which most of ...

Mr Collins: We have to bow to the land councils? What a terrible state of affairs.

Mr LANHUPUY: Mr Speaker, I am not saying that we have to bow to the land councils, but that we should at least talk to them. If we do not do that, we will have continual arguments.

Mr Collins interjecting.

Mr LANHUPUY: If the Chief Minister takes the advice of the member for Sadadeen, he will have a long way to go. His suggestion that the Territory government is bowing to the Aboriginal people and the land councils is just not true.

We want the government to give us some plans. The minister said that some plans were in the pipeline, and I was pleased to hear that. The Chief Minister has said that he intends to take some matters up with the land councils and that is appropriate because traditional landowners have a great deal to learn in terms of understanding the white man's way, in terms of legislation, land use, management and so on.

Mr Speaker, I support the minister's statement in part. I only hope that the policies which he has outlined will be implemented as soon as possible, thereby creating employment for people in remote areas and achieving some of the aims of the government's plan.

Mr PALMER (Karama): Mr Speaker, first, I would like to commend the minister on his statement and the policies and initiatives outlined therein. It has been said, both inside and outside this House, that long-term Aboriginal employment is probably the major issue facing the Northern Territory, its government and its people. Without a doubt, this statement relates to the most important single issue which has been raised in this Assembly during these sittings.

Deeply ingrained in the Australian ethos is what we call the 'right to work'. Governments recognise that right. In fact, many programs put in place by this government and other governments around Australia bear testimony to the recognition of that right. Equal opportunities programs, which will ultimately run their course, are testimony to that. Just as the European population of Australia has that right to work so do the Aboriginal people of Australia. Not only do they have the right to work, they have the right to seek gainful employment in their own communities. We do not expect other Australians to leave their homes en masse to resettle elsewhere, and we cannot expect Aboriginal people to do so. For very good reasons, Indonesia has a transmigration program. However, Australia does not have such a program nor should we encourage it. I have a great deal of respect for people who move around in search of employment. They are the new pioneers, people who drive up the track in old Holdens with the wife and kids on board, looking for new opportunities. They need to be encouraged. They are very brave people. However, we cannot thrust that way of life on people.

There are 2 types of Aborigines in the Northern Territory, as there are elsewhere in Australia: the urban, non-traditional Aboriginal people and the traditional Aboriginal people who live on the settlements and outstations. In the Northern Territory, the urban, non-traditional Aborigine has all the opportunities which this society presents in terms of education and economic gain. It is to the traditional Aborigine, who chooses to live on an Aboriginal settlement, that we should be directing our efforts. I believe the problem goes much deeper than merely providing education and training opportunities for the Aboriginal people. They are all well and good and all very necessary, but there needs also to be motivation to work. In our society, we have been brought up with expectations of owning consumer items, of purchasing motor cars and a home and, at a fairly young age, we realise that, without working, we will never achieve those aims. They are not only aims that we come to realise for ourselves but aims that are foisted on us by our parents. We are brought up to believe that this is what one should do and the normal person in white society goes about doing it. One could say that it has become our traditional lifestyle.

I do not profess to be an expert anthropologist, but Aboriginal people do not have that history, that tradition, of earning an income to achieve certain social or economic ends. The Aboriginal person living on a settlement cannot buy his own home. He cannot get clear title to a piece of dirt on which to build a family home. The motivation and the radical, economic influences are vastly different. I believe that, in time, the question of Aboriginal title to Aboriginal land in Aboriginal settlements needs to be addressed and needs to be answered. The motivation to own a home should be there. I think it is a commendable motivation. Again, it should not be foisted on people. If an Aboriginal person wants to work towards buying or building a home in his own

community, he should be encouraged to do so. He should be allowed to own that home and he should be allowed to trade on that home. It is not a radical idea and it would not be a hard thing to implement. We have had the Torrens Title system for a couple of hundred years now. There is no reason why that title system could not be applied to Aboriginal towns, so to speak.

The question of Aboriginal employment should not be directed merely at providing them with jobs. It has to be gainful employment. We could employ whole rafts of them within the public service. I think it would be wrong to have any more Aboriginals in the public service, as a percentage of their population, than there is as a percentage of the general population. It should reflect the 22.5% of the Northern Territory population which is Aboriginal. The level of Aboriginal public sector employment should reflect the general level of public sector employment.

Mr Bell: At the moment, it does not.

Mr PALMER: I know it does not, Neil, but it should not be allowed to exceed that.

Mr Smith: Why?

Mr PALMER: Why not? Mr Speaker, government policy should be directed at creating gainful employment in those communities, but I am talking about industry. There is no reason that any number of Aboriginal communities could not put in place extensions of the Trade Development Zone. There is no reason at all.

Mr Ede: Do they get their share of the funding?

Mr PALMER: There is no reason at all why firms such as Hengyang Trading or Darwin International Textiles could not be encouraged to establish manufacturing plants in Aboriginal communities. The opposition may jest and scoff but I believe the issue is much more serious than the opposition apparently considers it to be. There are opportunities to establish industries in Aboriginal communities that I think have been neglected, probably for want of some commitment and motivation on both sides.

Mr Speaker, I will sum up by saying that mere statements made by members mouthing platitudes from both sides of this House are not sufficient. I commend the honourable minister. The programs and the initiatives that he has outlined are commendable but, in the long haul, we need to go further. We have to identify industries and areas of gainful employment that can be established in Aboriginal communities. We cannot expect Aboriginal people to undertake training and education unless there is an objective at the end and unless they undertake that training or education to achieve something. As I said, that something should not be limited to public sector employment. That something has to be a gainful niche in the Northern Territory industrial and economic framework. With those few words, Mr Speaker, I commend the statement to the House.

Mr EDE (Stuart): Mr Speaker, I thank the honourable minister for his statement. To my knowledge, it is a first. On this side of the House, for many years, we have been complaining about and pointing out to government the fact that unemployment is a major problem on Aboriginal communities. There is a desire there for training and for jobs. We have said numerous times that unemployment on Aboriginal communities can be as high as 85%. When we are talking in terms of the overall employment and unemployment rates in urban

Northern Territory, the difficulties that those people have is as nothing compared to the difficulties experienced in Aboriginal communities with their incredibly high unemployment levels.

To my knowledge, this is the first time that a government minister has actually acknowledged the severity of the problem and, not only that, he has put a figure on it: only 25% of Aboriginal Territorians presently have jobs. It is a figure that members on this side of the House have known about but perhaps this shows that there is a real change in attitude and the government may now be genuinely willing to address this very important issue. To give some idea of the scope that we are talking about, that 25% represents some 10 000 jobs throughout the Northern Territory that Aboriginal people now have. If our immediate desire is to get the proportion of Aboriginal people in the work force up to the same level as exists in the general community, we are looking at creating and filling a further 18 000 jobs.

Mr Perron: Is that the goal?

Mr EDE: Mr Speaker, the primary goal should be to get the proportion of Aboriginal employment in the work force up to the same level as that of the general society. Let us have a look at what that would entail. If we were able to replace non-Aboriginal staff on Aboriginal communities with Aboriginal people, by training Aboriginal people to do the jobs that are currently being done by non-Aboriginal people, that alone would create some 5000 jobs for the Aboriginal people. Those people would be permanent participants in the work force and would be working for their own people in their own communities. In the main, they would be making a career in their own communities. Some people would move into other areas but many people want to work in their own community.

The creation of that amount of extra wealth in those communities would have a flow-on effect which would result in a further 3000 jobs. These would relate to housing construction and maintenance, hairdressing, bakeries, butcher shops, local abattoirs etc. Extra wealth would be created by people being employed and having the desire to spend that money on improving their own standard of living. That is 8000 jobs which are directly within the government's bailiwick and which can be effected by this government. To reach the level of the non-Aboriginal work force, the creation of a further 10 000 jobs would be required. That appears to be a far more difficult task.

The initial step, however, is to increase employment levels from the current 15% to 20% to around 60%. The impact of that will be significant. Young people will expect to be able to move into a job and a career. That state of mind is very important. I have spoken about it before when I have stressed the necessity to have Aboriginal teachers teaching in communities so that young Aboriginal people will have a role model and motivation to acquire job-related skills. Another important motivator will be to have Aboriginal people doing the majority of jobs in Aboriginal communities, including the important work of organising and managing the affairs of those communities. When that occurs, many more people will have the inclination to go forward.

A number of important areas can be targeted in terms of creating the additional 40% to reach full employment. For example, an arts and craft industry is already blossoming. Whenever I visit new communities, I find that that industry is spreading and more and more people are becoming involved. Assistance is needed in such areas as quality control and marketing and to ensure that the benefits get to the artists and are not creamed off by middlemen.

I believe that there is also an incredible future in tourism for Aboriginal people. Cultural tourism is one of the fastest growing tourism markets in the world today. In particular, younger tourists are no longer satisfied with simply gazing at monuments or natural phenomena such as the Grand Canyon or even our own Uluru. People want to understand what they are seeing at a deeper level. They want to know the real significance of places. People do not feel comfortable when they see Aboriginal people unemployed whilst non-Aboriginal people try to tell the stories of various places. People want to hear those stories from Aboriginal people. They feel far more comfortable about that because they can trust Aboriginal people not to get the stories wrong, not to tell the wrong story and not to tell them things which should not be told. That makes the tourist experience much more meaningful.

As the member for Arnhem said, we need to work with the land councils. They have a great deal of knowledge in this area. They are doing research papers on the east Arnhem and west Arnhem areas and more generally throughout the Top End and central Australia. They are working with Aboriginal people on developing tourism. They are investigating what tourists want to know and how they want to relate, and they are giving Aboriginal people the confidence and the skills they need to work with tourists so that they can move into tourism activities without ending up in the American Red Indian beads-and-blankets situation. Tourism needs to be developed in a manner which allows those who visit and those who are visited to retain their dignity and to share their knowledge and experience. How many times have Aboriginal people spoken to you, Mr Speaker, about their desire to share with the people of Australia the things that they know about this land and the respect which they have for this land? That is what people are looking for.

I commend the excellent work which the honourable minister has done to date, but there is a long way to go. If we add 40 employment access jobs, 180 jobs in tourism management, 60 plant operators and the various others, we have 425 jobs, which is a long way from 18 000. I will not decry what has been done. I am glad that a start has been made and I hope that the minister continues his efforts, bearing in mind that an essential aspect of training programs is to ensure that jobs are available at the end. Too often, when visiting communities, one meets people who have done 5 or 10 courses and, when one asks what happened, they say: 'I was laid off at the end'. Of course, those skills are not retained forever. People lose their skills if they do not utilise them when they have been learned. It is essential that there be jobs at the end of training courses.

The member for Karama spoke about enterprise activities. We should remember that, in such activities, the 3 Ms are essential: money, management and markets. They must be taken into account in developing programs. It is not good enough to talk about bringing in enterprises like Hengyang and operating like a trade development zone. Capital is required, together with skilled management, skilled workers and markets. People often forget those 3 essentials when they develop enterprises in Aboriginal communities, often with the best of intentions. Often, programs collapse because their only impetus has been the desire to have people doing something. They need to be assessed in a very hard-nosed way to see whether they stand up in their own right and whether they actually fit the environment of the Aboriginal community and the desires of the people involved.

The same principles apply to the development of enterprises in Aboriginal communities as in the Northern Territory generally. An industry which is environmentally suited to an area and the people who live there will operate far more efficiently and have a much greater chance of success than one which

is artificially propped up by some form of government intervention such as we have seen in the Trade Development Zone. I do not want to see trade development zones in Aboriginal communities. I want industries to grow out of the people's own inclinations and the things they are trying to achieve because I know those industries will be successful.

Mr Speaker, I commend the staff of the minister's department. I look forward to the minister setting some timetables and, if he has the courage, producing yardsticks for success or failure. For example, I believe that he should set percentage targets for Aboriginal employment, such as 30% in 5 years, 50% in 10 years and so on. I hope that the minister will give some finite targets in his reply. We will then have a means of judging our progress in terms of very finite goals.

Mr FLOREANI (Flynn): Mr Speaker, I was most interested in the minister's statement. I certainly have no problem with any part of its contents and I compliment the minister on what he is trying to do. My comments are made in a constructive vein. I believe that my experience in cross-cultural matters as a result of my Italian background and also my involvement in assisting a number of Vietnamese people to settle in Alice Springs may be of interest.

Over an 8-year period, I was involved in helping to settle Vietnamese people. No matter what the ethnic background of the people concerned, there are social problems when the people are unable to obtain employment. Certainly, my experience indicates that the problems of Australian Aboriginals and Territory Aboriginals are similar to those of other cultures. If they do not have work, if they cannot be gainfully employed, there are problems. This statement is of vital importance to all the people in the Northern Territory. We must find gainful employment for Aboriginal people. There is a special difficulty with Aboriginal people, and the difficulty is that most of them live in remote localities. That makes our job in the Northern Territory so much harder.

The thrust of the statement is good. It talks about industry, but I think what we should really be doing and what I would like to see both the minister and the Chief Minister become involved in is the setting of targets. I have been in the Territory for a long time and, 20 years ago, Aboriginals were second-class citizens and we had no expectations of them. Even now, when we talk about employment, we really adopt the attitude that the Aboriginal people cannot do this or that. That is the problem, and government needs to take the initiative in relation to it. Given the nature of this statement, I think that the government is ready to take the initiative.

I picked up an idea from Dr James Eedle who, as I am sure all members are aware, has been in the Territory for quite some time. Previously, he was in an African country and, when he came to the Northern Territory, he was astounded when he went to Aboriginal communities and found that the health workers and the teachers, all the people of any importance in the community, were white. In black communities in Africa, all the people in such positions are black. I think we should be setting ourselves some target dates. For example, perhaps our aim should be that, in 25 years time, every person working in Aboriginal communities in the field of health will be an Aboriginal. Our Aboriginal health workers have advanced to a certain level now and I am sure whoever first conceived of the idea of having Aboriginal health workers was laughed at and told that Aboriginal people could not do it.

I think we are in a position now where we should be saying that, in 25 years time, teachers and health workers on Aboriginal communities should

all be Aboriginal persons. We should direct our resources into achieving that objective. We should ask the Aboriginal people how they would do it and then set a target date - 25 years from now or whenever the government and the people involved feel is appropriate. We should then provide the resources to enable it to happen. If the government has the intestinal fortitude to take up that proposal, the other aspect is that we should expect failure. That is part and parcel of setting objectives in any society. Nevertheless, we must at least have a go at it.

The other point I would like to make is that I had an experience recently when 2 Aboriginal people came up from New South Wales. I am sure that they are leaders in their community in New South Wales. They said: 'We only know one person who speaks an Aboriginal language in New South Wales'. In the Northern Territory, we have listened for too long to people from interstate. We should be showing the lead to everyone in Australia in terms of how to handle our Aboriginal people. I think the lead will come from the Aboriginal people themselves after the government has set the time frames and provided them with the resources.

I conclude by saying that a great deal of research in respect of potential sources of Aboriginal employment has been carried out in the Centre for Appropriate Technology in Alice Springs. I believe the honourable minister should talk to those people because they are on the right track.

Mr HARRIS (Education): Mr Speaker, I rise to speak in support of my colleague's statement. Being responsible for the education portfolio, it is obvious that I have a direct interest. After all, we provide many of the opportunities for people to be educated to enter into the work force. One of the problems that we have in the Territory is that many communities have never provided employment opportunities. That is something we tend to forget. Until 20 or 30 years ago, the Aboriginal people in these communities lived a traditional lifestyle. Suddenly, they were confronted with a situation in which they were considered to be unemployed because there were no employment opportunities in their communities.

One can remember the disasters that have occurred such as the forestry projects that were introduced some years ago and failed miserably. We tend to forget that it is not simply a matter of creating jobs in a community and saying that people will work at those jobs. The same applies with education. We can provide the teachers and the buildings but it is necessary to get the kids into school to educate them. The same thing happens in relation to work. We can provide people to train Aboriginals in certain skills, whether as electricians, plumbers or whatever, but it is the attitude that has to be addressed. It is all very well to say that we can do this or that but, unless there is that dedication and that commitment to work, then whatever we do will not succeed. That is one of the very real problems that we will be faced with in this exercise of improving employment opportunities in the communities.

I agree with the member for Stuart that perhaps the greatest potential for Aboriginal employment is in their own communities. In respect of education, we talk about teachers and adult educators who are vital to ensure that the Aboriginal people are given opportunities to develop their skills so that they can meet the needs of their particular community and can service it themselves. We have schools and health facilities in those communities. They all require maintenance, whether it be painting, electrical work, plumbing or whatever. The Aboriginal people should be doing that work. We take people into these communities from the major centres and it costs governments a fortune, not only the Northern Territory government but the Commonwealth government as well.

I believe that we should train people to provide such services in their own communities. I stress again that the attitude of the worker is very important. Some members may recall that Milingimbi, I think it was, had problems some years ago with the sewerage system and the school was closed on many occasions. The problem there was that some of the people who were required to do regular maintenance work were not doing it. That was how those problems were created and it moved down the line. It is not a simple matter of have someone train the people. We must aim also at educating them in relation to their attitude to the job that they will perform in later life.

The member for Arnhem raised a number of issues which need to be addressed, and they related particularly to my portfolio. He talked about Kormilda College and the high enrolment there. He said that a tremendous effort was being made at Kormilda College and he talked about the problem of sending people from the Northern Territory to the states to be trained and educated. We have no problem with trying to provide educational opportunities for Territorians in the Territory. In fact, we stand by that commitment, and we have created Territory opportunities to ensure that Territorians are able to obtain the necessary qualifications to obtain employment in the Northern Territory. Honourable members will recall the development of the university and of the Aboriginal Task Force.

They are aware also of the development of Batchelor College and the range of courses that are available there. I will indicate some of the courses that are available: the Associate Diploma of Teaching, Aboriginal Schools; the Diploma of Teaching; and the Associate Diploma in Adult Education. The College is currently developing a Diploma of Teaching, Adult Education. There are also: the Associate Diploma Community Management, the Certificate of Office Administration, the Associate Diploma of Applied Science; broadcasting and journalism; access courses in literacy and numeracy; and certificates in community management and in recreation and youth-work, which are linked with the associate diploma. Aboriginal Health Worker Training programs are being prepared at Batchelor College and the School of Summer Linguistics. Now that the legislation relating to colleges has been passed by this Assembly, Batchelor College will be able to provide short-term and access courses for Aboriginal people which could not be made available prior to that legislation being passed because it required the ability to employ outside the Northern Territory Teaching Service and the NTPS. Thus, we have put in place legislation which will create opportunities for people to obtain employment.

We are not saying that Batchelor College will be directed towards TAFE. One of my concerns is that the opposition spokesman on education sees Batchelor College purely as a facility for the provision of higher education. We agree that it is a higher education institution, but it has a bigger role to play in providing educational opportunities and training to Aboriginal people. I need to point out also that he seems to think that TAFEAC is an organisation which will create terrible problems at Batchelor College. During the last 15 years, the Commonwealth TAFE Council, CTEC, looked after both the Darwin Community College and the Darwin Institute of Technology. They both had advanced education and TAFE and were responsible for recurrent and also capital funding. The DIT's new buildings were funded by TAFEAC. I do not really see a threat to Batchelor College through its having TAFE involvement. It is vital that that be the case because it is a wonderful institution and it will provide these opportunities.

We should look also at the community education centres that the government intends to develop over a period. At present, we have 8 community education centres which commenced operations in January 1989: Angurugu, Yirrkala,

Milingimbi, Galiwinku, Maningrida, Barunga, Borroloola and Yuendumu. The courses provided are relevant to community self-management and self-sufficiency and focus on the further education sector. Thus, that is another area where the government is actively involved and is asking for support from the communities themselves. We will be developing that in future years. The Commonwealth government is providing large sums of money to help us in this regard. We are looking at continuing to upgrade the courses that are available in our education system.

In addition, we have had a great deal of success in training Aboriginals for work, particularly at the Katherine Rural College. I am sure honourable members would be aware of the short-term courses that have been available to Aboriginal people at KRC. I refer specifically to the stockman's course and the plant operator's course. These have been successful and the people who have undertaken them have gone on to obtain work.

The minister mentioned the possibility of setting up ministerial advisory committees. I question that aspect. I am not being totally negative but I believe we have a whole range of existing committees and groups which could adequately carry out the function that he is proposing. FEPI and a range of other groups have a great deal of experience in that area. I question whether we should be establishing further advisory groups.

The member for Stuart indicated that he wanted to create a situation whereby the proportion of Aborigines in the work force would be lifted to the level applying in the general work force. I question whether, in fact, some Aboriginal communities do wish to move in that direction. In the education field, some communities clearly have identified that they prefer to develop their traditions. I wonder if the same applies in isolated communities. Some Aboriginal people may not want jobs in those communities because they wish to live in their traditional lifestyle. This is something that this government has been very wary of in the past. We have taken account of the wishes of people from particular areas.

The member for Arnhem raised the subject of land councils. All I wish to say in relation to land councils is that, in many cases, I question whether or not they represent the views and attitudes of many of the Aboriginal people in certain communities. I know they have an overall coverage of the Territory and that is not a problem. However, there are many Aboriginal communities which do not want interference from land councils. That is very difficult for us to come to grips with. In some areas, against the wishes of the people in those communities, land councils have prevented our establishing schools or residences for teachers. Those are the sorts of issues that we need to address. Once we do come to grips with those problems, and the Aboriginals from particular areas make their views known to the government, we will proceed well and truly on the way towards satisfying their needs.

Mr Speaker, during these sittings, I have indicated that I will be looking at the whole matter of the provision of education in Aboriginal communities. I will be visiting many of those Aboriginal communities this year. Also, I will discuss with the Minister for Labour, Administrative Services and Local Government ways of providing training for Aboriginal people.

I would like to highlight the fact that the Centre for Appropriate Technology in Alice Springs has promoted a variety of goods which are available to communities. In some Aboriginal communities, it is crazy to have the usual, western-style toilets - for example, in the middle of the desert where water is scarce. The toilets become stuffed up with rags, shirts and

all sorts of materials. The Centre for Appropriate Technology is working towards providing more appropriate facilities for those communities.

The government has moved a long way in providing opportunities for Aborigines, not only in education but also in employment. I point out to the opposition that we need to progress steadily and should not rush because that is when things start to break down.

Mr Ede: There are no worries about you rushing, Tom.

Mr HARRIS: I can assure you, Mr Speaker, that in relation to Batchelor College and such places, we will progress slowly and steadily and we will ensure that opportunities are there for the Aboriginal people.

This has been a good debate and some interesting information has been made available. I believe that the efforts of the honourable minister in providing opportunities for training in Aboriginal communities are sound. Coupled with the opportunities that we provide through the education system, I believe that we will be able to meet the needs of Aboriginal people. However, I repeat that there must be education in relation to job attitude as far as the Aboriginal people are concerned.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, one of the most hopeful signs in the minister's statement is his comment that the ideas therein have come from Aboriginal communities themselves, and not from government. Dearly though we might love to get hold of the Aboriginal communities and shake them into gear, clean them up and get everybody working, the ideas that come from us generally do not work and, to put it mildly, the communities are in a mess. However, that has not always been the case.

I would like to bring to the attention of members of the House some details of a conversation that I had with a gentleman who was at Ernabella at the time when Hon John Howard paid a visit recently. He had considerable experience in the area over the years. One of John Howard's staff asked him what people did there and he was quite shocked at the reply: 'Nothing'. The gentleman went on to explain that it had not always been like that. In earlier times, the people at Ernabella kept sheep, sheared them in an 8-stand shearing shed and sold the wool. They also kept cattle, which provided meat for the community and to the people in surrounding areas. They kept chooks and grew grapes, vegetables and fruit. They provided for their own needs and they earned extra cash for their community by selling produce to neighbours. Today, however, they sit around waiting for the pension cheques to arrive, the 'sit-down money'. Petrol-sniffing is rife at Ernabella. The people have no morale. The jobs in the community are held by white people. Formerly, Ernabella was a community where the people had a great deal of pride in themselves. They had useful and meaningful employment although they did not work in the same way as we do, for an individual pay packet. As I understand it, they did it more as a community and that fits in with the Aboriginal way of doing things. All that has been taken away from them and the reasons warrant some very careful analysis.

I have a hunch that, if money comes to people easily, by way of handouts, they are not as keen to work as they might be otherwise. There are parallels in white society. These days, some young Australians have quite a good time living on the dole. They travel around Australia. They live cheaply. They club together and pool their money. They are living off the community. They are not really making any decent effort to get into the work force and to contribute to the society which is supporting them.

The problem in Aboriginal communities dates back to about 1972 when there was a proliferation of organisations, supposedly intended to help Aboriginal people. That was the motivation of the politicians and I am sure they had the very best intentions. Unfortunately, the practical results were far different from whatever was dreamt of in the minds of well-meaning politicians in other places, particularly the federal parliament. One could liken the current situation to trying to feed one's chooks by first feeding the food to a horse, with the chooks getting what comes out of the other end. We have a proliferation of organisations which supposedly exist to help the Aboriginal people. They gobble up millions of dollars but do very little to help Aboriginal people. The system has become self-perpetuating. The horse likes being fed.

People work with the supposed aim of helping Aboriginal people to stand on their own feet and ultimately to take over the jobs of the people helping them. However, it is hardly natural for a person to want to work himself out of job, and that is part of the problem.

A member interjecting.

Mr COLLINS: I am sure many people in such jobs have had tremendous attitudes. Some stood successfully for parliament and made way for others to take their jobs.

Work is a source of personal pride, dignity and self-respect. It is a proud man who can stand tall and say: 'I am earning a living which supports my wife and my family'. That is what Aboriginal communities need. Progress will come only when people feel a need to change their situation and they have to rise to the occasion. The minister is dead right. He can spend masses of money on this strategy and I would not begrudge a cent of it. I hope that it will work, but its success or failure will not depend on the minister alone. In essence, it will depend on each individual person in the community. In this context, I will make some observations about the Ti Tree New Camp, which is not far away from my little farm at Ti Tree.

I have the greatest regard for the people who live at Ti Tree New Camp. They are honest and decent people. In the early days, I spoke to my neighbours at Ti Tree, the Dahlenburgs, and asked whether I was likely to find my produce being pinched. They said that, to their knowledge, they had never had a single watermelon or rockmelon taken and, if that had occurred, they certainly did not believe that it had anything to do with the Aboriginal people living there. Those people are as honest as the day is long. They buy fruit and vegies from the Dahlenburgs and my experience has been exactly the same. Politicians are more likely to come in for the odd watermelon, but they ask for what they want and that is fine. I really have the greatest respect for the people at Ti Tree New Camp.

I visited the camp about 3 weeks ago and the people said to me: 'Have you got any watermelon?' I did not have any and asked them why they were not growing their own watermelon. The soil at the camp is the same as the soil on my farm and it has a plentiful water supply. Above all, the Ti Tree camp has something of which I do not have much - labour. Growing watermelons does not really take much effort but, when I asked the people why they did not grow them, the answer was that there were too many dogs. Certainly, those dogs may be useful in hunting but, for the expenditure of a few dollars on wire netting and with posts cut from the local timber which is quite plentiful, the problem could be solved and that community could be growing its own watermelons, along with other fruits and vegetables.

Mr Ede: They already do.

Mr COLLINS: I certainly did not see any sign of it. Maybe attempts have been made, but I could see no evidence of that. The people seem to do very little apart from making the occasional hunting trip. They really are some of the nicest Aboriginal people whom I have ever come across. They are friendly and it is good to yarn with them, but they lack motivation. If they were prepared to put in a bit of effort, they could do much to improve their community. They could sell produce to neighbouring communities, to Ti Tree Station and in town. During winter, a considerable number of visitors pass through Ti Tree and I am sure that there would be opportunities to sell produce to those people. They could sell produce to Alice Springs as well. The problem is one of attitude. The people seem to be content to buy watermelons from me, and I am quite happy to sell them. However, if they had the right attitude, those people could start helping their own community.

The community's children attend the Ti Tree School. The school cost \$3m to build in the 1970s. It has some excellent teachers and I have certainly warned to them because they have the children's interests at heart. Those young people go back to the camp with some education but there do not seem to be many spin-offs. I believe that the motivation has to come from within the people. I would love to see this group of Aboriginal people find that motivation. It will not come from the government or anybody else. The people have to help themselves. They certainly could do with a better lifestyle. They could benefit from the dignity of looking after themselves and eating the better food that they could produce. The opportunity is there but they have to grasp it, and that needs to happen around the Territory.

Mr Ede interjecting.

Mr COLLINS: That would certainly be a backward step and I dare say that if people really want someone to hand everything to them while they sit there ...

Mr Ede interjecting.

Mr COLLINS: I doubt whether you will ever get that, because these people have their heads screwed on the right way. All they need is a little motivation and I hope that that will happen at Ti Tree New Camp one day.

There are good signs in some Aboriginal communities. I have often praised the communities which, probably against the law, insist that sit-down money not be given to people unless those people contribute. They have demanded that the people in their communities, particularly the young ones, do some work. That is a step in the right direction and we could well take note of it in the white community. No able-bodied person should receive money without making some contribution.

Mr Ede: On that basis, you would never get paid.

Mr COLLINS: That would make 2 of us and we would have a problem. Of course, I have other ways and means of making a living. I doubt that the member for Stuart would have what it takes to get out and earn a living in the world of private enterprise.

Mr Ede: I have been there.

Mr COLLINS: You did not stay there for long.

Mr Ede: I have spent more time there than you have.

Mr COLLINS: We will check on that one.

Mr Deputy Speaker, I welcome the minister's statement. I do not think that everything will be beer and skittles. Certainly, we should not set targets such as 30% employment by a specific date. It will not work like that. However, the effort has to be made. I commend the minister for his statement and I wish the programs well. All Territorians should be doing what they can to encourage Aboriginal people to motivate themselves to become their own bosses.

I must confess that I cannot agree totally with the member for Flynn who said that, by a certain date, he would like to see all the jobs in Aboriginal communities which are now taken by white people being performed by black people. That should occur on the basis of merit, otherwise it tends to smack of apartheid. I think that it is most important that the black and white communities have plenty of opportunity to rub shoulders together, to share, to respect one another and to be part of the wider community rather than to be isolated and out of the way. I know what the honourable member is driving at and it would certainly be great if many more Aboriginal people obtained jobs in their communities on the basis of merit. That would certainly offer excellent motivation to the young people.

Mr TUXWORTH (Barkly): Mr Speaker, in responding to the minister's statement today, I would like to acknowledge that there is no doubt that great progress has been made throughout the Territory in recent years in providing Aboriginals with additional employment opportunities and, in fact, taking employment opportunities to Aboriginals in remote areas. However, I think we have reached the point where we have a genie that has hopped out of a bottle and we will not be able to get the genie back in, and there are some really hard options that Aboriginal people living in remote areas now have to face. Very simply, the difficulty is that the numbers of Aboriginals in remote areas will far outstrip the job opportunities available to them in those communities. If they were able to take up every job in a community, there would still be many Aboriginals who would never have a job opportunity.

Mr Speaker, I would like to bring to your attention the fact that, some 12 or 18 months ago, I called in to see the people at Warrabri. The ladies at Warrabri said: 'We want to talk to you because we have a big problem with all these young fellows'. We got a couple of chairs and sat out under the trees on the side of the oval. They said: 'We want the school fixed up because we want our kids to get a good education. Then, when they have a good education, we want them to have a job. We do not want any of this business of sitting down and playing cards'. We talked about it for a while, and I said to them: 'Have you ever considered the possibility that your child will never get a job in this community because there are too many children and not enough jobs? It does not matter what level of expertise they gain, there will be too many of them'. They thought about that for a while and said: 'Well, we will go to Tennant Creek'. Some of those families have moved to Tennant Creek and, in fact, a couple of the young people are working for Jurnkurakurr and other Aboriginal organisations, and one of them is doing a trade ...

Mr Ede: I told them to go to Tennant Creek. You were trucking in votes.

Mr TUXWORTH: Oh yes, but you were working in the wrong direction.

Mr Collins: Coming from the Queensland border.

Mr Ede: No, he was bringing them from Queensland.

Mr TUXWORTH: No.

Anyway, Mr Speaker, the point was that the Aboriginals that I am referring to at Warrabri had never really considered the fact that there were no job opportunities and that there never would one.

I would cite a couple of other communities. I think it is fair to mention Elliott by name where, within the next couple of years, probably 30 or 40 young people will be between the ages of 16 and 25 and, if they remain at Elliott, the chances of all of them finding employment are zilch. There needs to be an opportunity for them to move.

There must be 200 or 300 children in school at Borroloola out of a total community of 600 people. They are completing their senior grades and attending Kormilda College. Some have even been to Yirara College in Alice Springs and some have gone on to become involved in the Health Worker Training Program. However, the reality is that the potential for them to find permanent employment in Borroloola is very slender. There comes a time when we need to sit down with the communities and say: 'The reality is that a number of you will obtain a job here if you achieve certain levels of education and proficiency, but the bottom line is that many of you will not. You need to consider the possibility of moving to another centre if a job is a high priority in your lifestyle'. That has to be a personal decision because there are many Aboriginal families, including the young people, who are quite happy to remain in their remote environment and do the things that they are doing. They do not have an aspiration to move into town and have a useful job. However, on the other hand, there are many who do. Unfortunately, once they have identified in their own minds and hearts that there is no opportunity for them where they are, there is no mechanism which enables them to make a move. There is no way of assessing the options that they can pick up and run with. There is no way of putting a plan into place to move people from A to B and there is no way of integrating the individuals into the work system.

In Tennant Creek, I have noticed with interest over the years that the young Aboriginals who have done well in employment are really those who started working during the school holidays and after school for a few bob. They became involved with their employers, liked what they were doing and then went to trade school or night school, or TAFE as we know it. Many of them have done remarkably well, considering the start that they had. It has not been easy for them because peer pressure has been exerted in an effort to drag them down. The opportunity was available to some, but there would be at least 100 young people in Tennant Creek between the ages of 16 and 24 years who, if they had a Leaving Certificate, would find it extremely difficult to obtain any form of employment or take up an apprenticeship. Tennant Creek is like the Ali Curungs, the Warrabris, the Borroloolas, the Yuendumus and the Elliotts. There is a limit to the opportunities that can be provided. There will be a point when those people will have to go to Darwin, Alice Springs or even another part of Australia if they want to obtain a permanent job.

I do not want to reflect adversely on the minister's statement at all. His intention and his direction is good. The level of achievement is always something we can debate, but the minister is certainly moving in the right direction. But I say to the minister that the possibility of providing an option for people in remote communities to leave their communities to pursue a lifetime of work is something that we must put in front of them in terms of

hard, cold facts and we need to develop a system of enabling those people to move if they so desire.

Moving from Ali Curung to Tennant Creek to enable children to go to school or pursue a job opportunity was a pretty big deal for a couple of people. It is 120 miles and the family was able to stay together. They had relatives in Tennant Creek and the family has settled in well. However, let us take the example of the 20 children who are at school at Brunette Downs. I think the Minister for Education would know that at least 5 or 6 of them will leave school in the next year. They will not be completing Year 12, but they will be leaving school. Their chances of obtaining any job whatsoever are very limited. We should be saying to them now that, if they stay at Brunette Downs, they will have to face the possibility that they will never work and, if they wish to work, they should tell us what they want to do and we will try to feed them into the system in another town or another place in order to provide that opportunity. That is not a reflection against the minister. In respect of the Brunette Downs example, it is the minister's job to educate these young people, but he has a problem in that his is the only government agency in the area that has any potential at all for explaining to young people that they do not have a future if they stay there. They have to go somewhere else.

I will conclude my remarks by saying to the minister that I appreciate the efforts that are being made and I certainly hope that they continue. I would appreciate hearing from him, at some stage, about what possibility he sees of providing employment opportunities for people in remote areas where the numbers are so great that full-time employment will never be a viable prospect for the individual. I would like to hear what the government can suggest in terms of making opportunities available for young Aboriginals, in particular, who wish to have a lifetime of work.

Mr TIPILOURA (Arafura): Mr Speaker, I welcome the minister's statement. It is fair. He could have added more to it, but I can see his intentions and his directions. The only problem was that his statement contained nothing that was creative or productive. He relied on out-of-date, old-fashioned assumptions about the types of employment Aboriginal people should be involved in. I can only encourage the minister to re-think those assumptions and hope that he can achieve a new formula and better equity.

As I said, I welcome the statement. There is a problem with the attitude and motivations of the communities themselves in relation to finding employment opportunities and creating jobs in the communities. Some communities can create employment for their people and some communities cannot. In my area, we are very lucky. We have 3 or 4 joint ventures going. There are 3 communities on Melville and Bathurst. We have the tourism industry, the Barra Base and the forest industry. However, some communities find it very hard to become involved in tourism or fishing or anything like that.

The problem comes from a lack of understanding and motivation to send kids to schools and get them interested. If that can be resolved, later on they may obtain better jobs. I would ask the minister, as did the member for Barkly, if he has any plans for young Aboriginals aged between 16 and 25. It is in that age group that the unemployment rate in Aboriginal communities is very high. Does the minister have any plan to provide them with jobs? They work 1 or 2 weeks only, and some for only a couple of days, because they think living on sit-down money is good. Other than that, some employment opportunities exist through tourism, Territory and federal, in the making and selling of arts and crafts and with the land councils.

I would like to say something about the involvement of the land councils in Aboriginal communities. An unfair remark was made by the member for Sadadeen and the Minister for Education. The 3 land councils that we have in the Territory have been very helpful in providing employment for Aboriginal people in their respective areas. With regard to my land council, as I said, we have 3 or 4 joint ventures and it was the Tiwi Land Council that helped us to get those joint ventures going. In central Australia, they have Centrecorp, I believe, and the NLC has the mob in East Arnhem through the mining industry and also through the Gagadju Association. The Northern Land Council has done a tremendous job in that area.

Mr Collins: They could have done that themselves, though.

Mr TIPILOURA: No. We needed money to get those ventures going and I think the land council ...

Mr Collins interjecting.

Mr TIPILOURA: No. We have some left over ...

Mr Collins: I have more faith in your people than you have. You haven't got enough faith in yourselves.

Mr TIPILOURA: In some areas, the land councils can be very helpful and, in that regard, they have been very helpful to the communities because they have the money to get ...

Mr Collins: It is taxpayers' money.

Mr TIPILOURA: It is not taxpayers' money. It is royalties drawn through mining.

Mr Speaker, the land councils can be helpful in that area. Some of the training programs mentioned in the statement, the accounting program, public relations, management, accommodation and kitchen administration, are welcome. That type of training is very useful. In fact, it is becoming essential in many communities. The Gagadju Association now owns and operates 2 hotels which has encouraged some local people to become involved in management training and in accommodation and kitchen administration. In respect of parks and wildlife, perhaps we can ask the government to try to involve local Aboriginal people in the Conservation Commission to manage some of the parks as happens in the national parks at Alice Springs and Kakadu. That would provide them with employment in the running of their own park.

Apart from these possibilities, I think it will be up to the communities themselves. They will need to really perform and get their act together. Nevertheless, we would still like to receive encouragement and assistance from the government to help establish programs and perhaps some training through the education system. In relation to education, I think more programs need to be implemented, especially to stimulate the kids' interest in going to school. In some communities, some kids think it is a waste of time going to school because there are not enough things to do there. That is not the fault of the schools. The parents themselves must encourage the kids to go to school. Some kids have the attitude that there is no purpose in going to school because they will not get a job anyway. I am hoping that the government will come up with programs which can create jobs and training in communities. The communities themselves may be able to do something towards providing employment through their self-management activities.

Mr PERRON (Chief Minister): Mr Speaker, some interesting matters have been raised in this debate. I was a little disappointed in the contribution of the member for Stuart who, in his usual style, had to blame it all on the government. The thrust of his entire speech was that it was the government's fault that all Aborigines in remote areas do not have jobs and it ought to get its act into gear and solve the problems. That was a little disappointing.

Obviously, there are a number of answers to the quandary in which we find ourselves in respect of the very high levels of unemployment on Aboriginal communities. Certainly, one of them is education and another is motivation. Another is probably mobility, and I think that will be one of the hardest for Aboriginal people to come to grips with. The member for Barkly had some wise words to say about that.

Coming back to the education, there are a few individuals who have rare talent as artists or whatever and who become famous and earn good money even without education. However, the answer for most other people to obtain some employment is education. In that regard, I think that the government's role is certainly there but it is limited. We could provide bilingual programs in the education system and special textbooks on Aboriginal stories and folklore so that more interest would be generated than there would be if they were reading about Oliver Twist. Nevertheless, one can still go only so far with education. There has to be motivation. I am pleased to say that no one argues that Aborigines are any less capable intellectually than other people around the world. It is a matter of motivation that seems to separate one group or person or family from another. I am speaking in general terms. There are some people who have learning difficulties but that is the case with every group in the world.

Asians, for example, seem to be outstanding in our education system in so far as reaching the top of the class and the top of the school, year after year, is concerned. That is the case even though they constitute a relatively small percentage of our student body. The reason for that is the strength of their motivation and their dedication to study. They are no brighter than the rest of us, but they will be doing their homework diligently while the rest of us are out at play at night and on weekends. They have a dedication to work and study which is far beyond what the average Australian considers is fair play. I suppose that it is a part of their way of life. There is a feeling of failure and dejection in some of those families if students do not achieve incredible marks in their matriculation. In Japan, we are told that the shame is such that suicide can result from failure to achieve reasonable marks. It is a very competitive field.

No one is saying that Aborigines do not have the capacity to achieve. By and large, the facilities are available to them throughout the Territory in rural and urban schools. I am pleased to hear that Kormilda College is full this year. Hopefully, the children of Kormilda College will later progress to other colleges in Darwin or to the university. I hope Yirara College is also full this year. The teachers and the facilities are available but I am not sure whether the motivation is there.

The member for Arafura has indicated that Aborigines must realise that much of the responsibility for getting ahead in the world lies with themselves. In that regard, he is very realistic. However, I have acknowledged before in this House that, because of the different lifestyles of Aborigines who follow traditional ways in the Territory, they have a very real handicap if we judge their levels of education and participation in the

work force by our standards. It is difficult to perceive of their having the same motivation as non-Aborigines to strive to keep up with the Jones' or to get a house. As the member for Karama rightly said, it seems that, when you are growing up, it is material possessions that drive you to get a job. If you want to own a car and to be able to fill it up with petrol every Saturday night, you must have a job. No one will give it to you.

Mr Smith: Obviously, that is what fuelled you.

Mr PERRON: Yes, those were the things that motivated me, Mr Speaker, I can assure you. I absolutely loathed school. I could not get out quickly enough so that I could earn some money.

Mr Bell: I was wondering why you never participated in education debates, Marshall.

Mr PERRON: I have confessed.

Mr Speaker, in our society, there is motivation to earn money to buy the things that you want. Certainly, when I was a young fellow, I wanted a car. You were not going to get very far if you arrived at your girlfriend's place on a bike to take her out. The competition for birds was pretty tough in Darwin when I was a young fellow.

Mr Smith: You wait until the Women's Advisory Council hears this!

Mr PERRON: I expect to get a bit of a lash from the Women's Advisory Council over that, but I am being honest.

The motivation was to earn some money because, if you wanted anything out of life in terms of material possessions, you would have to get it for yourself because no one would give it to you. I wonder whether Aboriginal people in remote areas have that motivation or, indeed, whether they have that need for material possessions which cost money. Some Aborigines have well-paid jobs, housing in an urban environment, motor cars etc. I believe that, somewhere along the way, they picked up a yearning to have some of those things and that motivated them to join and remain in the work force, to compete with other people for jobs and to try to gain promotion. There has to be something driving you up the tree all the time.

However, as the member for Barkly said, we could train and retrain people to take most of the jobs in Aboriginal communities today and there would still be a very substantial number of people for whom there was no work. Even though we should and do encourage the development of tourist projects on Aboriginal land - fishing ventures, crabbing, mining, craft work - there will still be far more able-bodied Aborigines, male and female, than jobs for them because many of those jobs would not be very attractive to them.

Recently, the famous Crocodile Hotel opened at Kakadu and it is very commendable. The Gagadju Association, if not its owner, is its principal shareholder. I have been there twice now and I was rather disappointed that there was not an Aborigine in sight. I did not expect that they would be filling the manager's position or some of the other jobs at the moment, but I did think there might be at least some Aboriginal trainees on the staff. I can understand that perhaps the local people are not particularly interested in being waiters or waitresses or kitchen hands or cleaners or whatever. The hotel certainly has trouble maintaining staff levels. I am sure that, if reasonably well-educated Aborigines were available, there would be many administrative jobs there for them.

That is the sort of thing that the member for Stuart was talking about. He was trying to make us feel guilty because 5000 jobs are filled with white public servants when he says they should be filled by Aborigines from the region. I can assure the honourable member that we will employ Aboriginal nurses and Aboriginal police as quickly as they become available. I reject his suggestion that the situation is the government's fault and that we somehow lock Aboriginal people out of jobs. What a load of nonsense! Of course it would be in the government's interest to have Aboriginal police, nurses, teachers and so on throughout the Territory communities. Of course Aboriginal teachers would have a better understanding and a better rapport with their students than others do. We are working towards the day when the situation will be vastly different, but it will be a long haul.

What do people in the non-Aboriginal community do when insufficient jobs are available? By and large, people move on. Some people tend to stay behind if they are prepared to live on the dole. Darwin is probably not a bad example. Thousands of people have left Darwin in the last couple of years because there was a decrease in the amount of available work and I think that is probably not a bad thing. I do not think Australia should be a country in which projects in one part of the country are desperate for labour whilst, in other parts, there are suburbs full of unemployed people who cannot be bothered to climb into a motor car and move to the other end of the country to get a job. That would not be a healthy situation. The Northern Territory has a fairly transient population but it is probably a good thing that carpenters, plumbers, bricklayers and so forth are prepared to climb into their utes and drive to Mt Isa if there is no work in Darwin. It leaves a bit of work in Darwin for whoever stays behind while those who leave continue to use their productive energy to earn a quid.

If employment levels in the Aboriginal community are ever to reach the level which applies in the non-Aboriginal population, Aborigines will have to become mobile. They will have to move from their settlements into the cities and towns, whether that be Darwin, Tennant Creek or places interstate. Perhaps they will never do that. It may be that Aborigines will find it so difficult to break their ties with their traditional country that it will be unthinkable for them to break the families up and to move away. If that is the case, we must realise that we will never have all of them in employment.

Honourable members opposite scoffed at the suggestion that some form of trade zone activity might be developed on Aboriginal land. But what are we trying to do in terms of jobs for our own kids and for the non-Aboriginal and Aboriginal kids who happen to live in places such as Darwin? We are trying to set up a trade zone and to develop the mining industry whenever we can get an environmentally-acceptable mine. We are trying to develop the tourist industry and to build hotels throughout the Territory. We are battling all the way against town planning schemes, interest groups and so forth, but we are trying to create employment. Employment is what it is all about. There is no other purpose. When we suggest that Aboriginal unemployment on Melville Island or Bathurst Island or in the middle of Arnhem Land might be solved by locating a factory or some other activity there, we are scoffed at. People say: 'We want to live out in the sticks, but we all want to have jobs'. I think we have to keep our feet on the ground in this type of debate.

The minister's statement is a demonstration that the government is prepared to put money into programs which are specifically designed to try to help Aborigines get into those areas where, at least from today's perspective, we can foresee some employment opportunities for them. I commend the honourable minister on his statement and I commend members for their contributions to the debate, with the exception of the member for Stuart.

DISTINGUISHED VISITOR
Mr Don Piper

Mr DEPUTY SPEAKER: Order! I draw the attention of honourable members to the presence in the gallery of Mr Don Piper, the Clerk of the new Legislative Assembly of the Australian Capital Territory. On behalf of honourable members, I warmly welcome Mr Piper and hope his visit to the Northern Territory will be pleasant and fruitful.

Members: Hear, hear!

Mr BELL (MacDonnell): Mr Deputy Speaker, I think that aspects of the Chief Minister's contribution to this debate represent a minor victory on my part. I remember that, when first I became a member of this Assembly, the Chief Minister never contributed to debates on issues relating to Aboriginal development. I believe that he and this government have come a long way in terms of taking those issues seriously, to the extent that statements about Aboriginal employment and economic development are made in this Assembly. By and large, I intend to contribute to this debate in the constructive vein in which the statement was made.

Before I turn to the actual statement, I will make some comment on the remarks of the Chief Minister. On the surface of it, his assumptions are quite reasonable. However, when one examines them more closely and looks at the experience of Aborigines in the Territory, they are not reasonable at all. The plain fact is that we can understand the economy of the Northern Territory only by looking at the history of the Territory and the various economic regimes that have occurred. There is no requirement at this stage for Aborigines to leave their communities in order to receive social security benefits. The social security system in this country recognises that Aborigines have associations with their communities and that, if those associations were forcibly affected, it would not only have a dramatically deleterious effect on them and their families, but would place such a burden on various social and economic resources in this country that the effort would not be worth while.

Mr Speaker, you will recall that, in a similar debate earlier in these sittings, the Chief Minister commented on the pride felt by Aboriginal people who had worked in the cattle industry on low pay before the 1966 award, when that award gave them equal pay with their non-Aboriginal counterparts. Although I do not recall the Chief Minister using the phrase, it is often said that the Northern Territory has a narrow economic base. Of course, that is another way of saying that we do not have many economic resources available to us.

Mr Coulter: That is not true.

Mr BELL: I hear what the Minister for Mines and Energy is saying. I suppose he will say that, provided we keep digging it out of the ground fast enough and shipping it out of the country fast enough, we will be ...

Mr Coulter: And bringing it back and storing it.

Mr BELL: ... making a magnificent contribution. I do not happen to believe that mineral resources, in that sense, are uniquely Northern Territory resources.

Mr Coulter: We have 30% of the world's low-cost uranium.

Mr BELL: If we make the important distinction between renewable and non-renewable resources, it is clear that our renewable resources are pretty meagre in comparison with those of other states. One of the reasons for our narrow economic base is, quite simply, that Aboriginal tradition was not blown out of northern Australia quite as rapidly as it was blown out of the area below the 12-inch rainfall line. I say that because, in order to understand the prospects for Aboriginal employment and Aborigines' relationship to the processes of economic development as we understand it, one has to look at their history. I heartily agree with the Chief Minister that we have an obligation to develop our economic resources as diligently as possible. However, that should not be done in such a way that people and the spiritual base which has sustained them for many years are blown away. That is the answer to some of the one-eyed warhorsing which the Minister for Mines and Energy does for the uranium industry and for the development of mineral resources.

Mr Speaker, I turn specifically now to the minister's statement. It contains very scant reference to the role of the Commonwealth government in respect of Aboriginal employment. For example, he made no reference to the Community Development Employment projects which are contributing to the creation of employment. I have thought long and hard about this question. I know the people in my electorate well and I know that they are capable of prodigious effort. I have seen people hunting and collecting food from the bush in temperatures of 40°. Although seed collection is not a traditional activity, I offer it as an example of the sort of effort Aboriginal people are prepared to make. Unfortunately, the demand is not steady and tends to fluctuate greatly. At one stage, people were able to get about \$400 for a flour drum full of aliti, which is the little black seed from the camel bush. I can remember groups of women going out with traditional piti and winnowing the seeds from the sand and the chaff, and making a considerable amount of money by doing so. Unfortunately, demand for aliti fluctuates dramatically, as it does in relation to art and craft products.

The role of the Commonwealth and the National Aboriginal Employment Development Committee is important. I was in Canberra when that committee was launched by the Prime Minister and the then Minister for Aboriginal Affairs, Clyde Holding. In this area, we cannot afford to become involved in politics. We have to work closely with the federal government and I am disappointed that there is no reference in the minister's speech to the Community Development Employment projects.

I have mentioned the role of hunting and gathering as an economic exercise. While I am on the question of hunting, let us bear in mind that, 50 years ago, a large percentage of people in my electorate were living off the bush. People tend to ignore that fact although I think that the Chief Minister may be starting to come around to it. The fact is that, 50 years ago, people had to live a very hard life. One of the reasons why ...

Mr Perron: Both white and black ...

Mr BELL: I will not pick up that interjection because it raises so many other issues that are not worth talking about. If you want to talk about the depression 50 years ago, that is true, but the fluctuations in mainstream western economies are a different issue. If you come in halfway through a debate and interject, then you cannot expect to be taken seriously.

People were leading a tough life 50 years ago and one of the reasons why people have developed a sort of relationship with the western mainstream

economy is in order to provide the things that they were not able to get out of the bush. However, people still have a fundamental belief in that sort of lifestyle and so many of the beliefs that sustained it. Let us bear in mind, before we treat Aborigines as welfare cases, that it was a lifestyle and a pattern of beliefs that sustained them for at least 10 000 years, and some say 40 000 or 50 000, in the harshest environment in this country and, arguably, just about anywhere in the world.

I commend for the benefit of the honourable minister some of the work of Dr John Altman who has carried out studies into the relationship between hunting and gathering, the traditional economic pursuits, and the part they have played and continue to play in outstation life. His work was undertaken in Arnhem Land and I think it centred on one of the outstations around Maningrida. I believe that issues of that sort ought to be taken into consideration. In passing, I heard the member for Victoria River lamenting the fact that people do not go out hunting any more and that that is unfortunate. That comment was made during a debate earlier this week; in fact, I believe it was the debate on the Martin Report. I do not know what the situation is right throughout the Territory. Because I am no longer living in those communities myself, I am not sure whether the amount of hunting that is done has changed. I think that is another lacuna in the minister's statement. One of the reasons that hunting does not occur so much is because we have never treated it seriously as an economic activity. Perhaps, if we treated it more seriously as an economic activity and people were encouraged in that way, we would be getting somewhere.

That brings me to the other point that I wanted to make. I want to pick up a comment made by the Deputy Leader of the Opposition. He said that people have been attending training courses but find that there is never anything to come back to. It may be that, in the same way as we develop inventories of infrastructure in Aboriginal communities, we ought to be drawing up some sort of human resources inventory and finding out who is actually living out there, what they do, what they are capable of and so on. We people in public life often find it easier to count bricks and mortar than to look at what human beings are actually doing and what they are capable of. I react with the same distress to people who are leading, to use a bit of trendy jargon, dysfunctional lives, on the booze in Alice Springs or Darwin or wherever. However, unlike some people, I regard those people as victims, not as perpetrators, and I believe that some sort of realistic assessment of the rapidly-changing capabilities and aspirations of people needs to be considered.

That is not assisted by the distinction that the member for Victoria River was drawing between traditional and urban Aborigines. I was concerned to pick up comments that I heard coming from the minister yesterday. He was saying that we have to keep these 2 groups of people separate. We cannot have them going along to Bachelor College as well.

Mr McCarthy: I did not say that.

Mr Smith: Yes, you did.

Mr McCarthy: Not in that context, and you know it.

Mr BELL: I certainly did hear him reject entirely the concept of pan-Aboriginality. There is a continuum of Aboriginality. One can say that, towards this end of the spectrum, people have more language, more traditional ceremony, more understanding and, strange to say, they tend to be in areas

where there is 12 inches or less of rainfall. At the other end of the spectrum, where people have a similar association with being black and generally in low socioeconomic groups, they tend to be in the places that have been settled for 150 or 200 years by white fellows. However, it is a continuum from one end to the other and one cannot say, bang, it stops here.

Mr Speaker, I want to make a comment about Mereenie and a comment about training. I notice that Mr Roy Hopkins and Mr Dennis Benbow of Magellan Petroleum are visiting the Assembly today and therefore my comments about Aboriginal employment in that regard are particularly apposite.

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

Mr EDE (Stuart): Mr Speaker, I move that the honourable member for MacDonnell be granted an extension of time.

Motion agreed to.

Mr BELL: Mr Speaker, in this human resources inventory, a case study could be carried out to investigate why the option under the Mereenie agreement for Aboriginal employment at the oilfield was never taken up. There is no point in getting into one of these deals where you lay blame, there or wherever.

Mr Coulter: They are here now and I will get them to talk to you before they leave.

Mr BELL: Yes. There are simple answers to it, but I think that, in those areas where there are opportunities for people to be employed that are not taken up, we need to know why. Yulara is another example. Yulara would be enhanced dramatically if there were black faces serving in the facilities there.

The second thing I wanted to say was that training has been going on forever. I think I have referred to this book before, 'So Much That Is New: A Biography of Baldwin Spencer', by John Mulvaney. Baldwin Spencer will be well known to everybody here. Does everybody know Baldwin Spencer? Spencer Street in Alice Springs, Spencer Hill? That is the same Spencer. Spencer and Gillen, the pathfinding anthropologists?

Mr Coulter: Spencer Street Station in Victoria?

Mr BELL: It may very well be. I think it probably is the same Spencer because he was a professor of biology at Melbourne University. It is a great biography. He was brought up to the Territory by the new Commonwealth administration in the second decade of this century. I suggest honourable members read what he has to say.

Referring to the report that Spencer did, it firmly endorsed the principle of mission settlements concentrating upon educating children away from traditional ways towards agricultural and related industrial pursuits. It stressed the need for care in selecting mission sites so that only kindred tribes were associated. The whole of Bathurst Island was recommended for mission reservation.

There you go, Mr Speaker, 1911. There is so much that is quotable from this volume in this context. It is available in the Assembly library and is classified 306 SPE. I commend it to honourable members. It is a very

interesting read for anybody who is interested in the history of the Territory as a whole. Not all that much has changed. We have been talking about education and training for a long time.

My last point is about award wages. I said it in yesterday's debate: we need to find those jobs. If we cannot find them in the private sector out of natural economic growth, we have to create them. They have to be award wage jobs, and we should have an objective of one award wage job per family within 10 years.

Mr SMITH (Opposition Leader): Mr Speaker, hopefully I will not take the full 20 minutes that I am entitled to, but this is an important issue and that has been demonstrated by the number of people who have spoken on the matter so far. I am not sure that I have done it in the Assembly before, but I want to take the opportunity to lay down what I think is happening because we have reached a very important stage in terms of the Aboriginal movement in the Northern Territory. It seems to me that we are at the end of the long and sometimes bitter and divisive struggle over land rights, and there is now an acceptance in the community that land rights is here to stay. It appears that the debate has moved on from the argument over land rights, particularly in the Aboriginal community, to an acceptance of the fact that they have land rights and a consideration of how they can use that land for their economic and social improvement, as well as the economic and social improvement of the Territory economy.

There are signs all over the place that that is happening and some of them have been mentioned today such as the Crocodile Motel and Centrecorp, the Central Land Council's arm in central Australia. In fact, it is extremely interesting because, in a very real sense, in some smaller white-dominated towns, the power of the Aboriginal dollar has become very important in determining their economic situation, and I think the classic example now is Tennant Creek. In Tennant Creek, I would expect that, basically, the Aboriginal dollar keeps that town afloat, together with the mining dollar, and we all know that in Tennant Creek the mining dollar fluctuates up and down. Those are probably the 2 main economic indicators for Tennant Creek. As the next few years unfold, we will see an increasing value of the Aboriginal dollar.

Of course, ultimately, the only way that the problems that we all see with health, education, basic welfare and the creation of jobs in Aboriginal communities will be solved is by getting Aboriginal people and Aboriginal organisations into the main game in town, and there is no doubt that that main game is economic development and the creation of jobs. As I have said, a very real way that that will happen is through a natural tendency of people to move on from land rights and to start working out how those land rights can help them improve their lot in life. It is a basic factor that Aboriginal people, like every other people, do not like living in poverty and do not like living in squalor, and they are anxious to do something about it. That is the motivation that is driving more and more Aboriginal groups at the moment. They want to improve their lifestyles. They want a good education for their kids and they want a decent health and welfare system. I think that they are slowly realising that land rights gives them a growing capacity to achieve much of that for themselves.

The role of government is actively to assist Aboriginal communities to identify opportunities for themselves. Quite clearly, that is harder in some Aboriginal communities than in others but, wherever opportunities have been identified, there is no doubt that Aboriginal communities have been keen to

take them up. The changing nature of the debate on uranium mining during the last 10 to 15 years is a typical example. At one stage, it was very convenient to have an anti-uranium and pro-Aboriginal position because they coincided. That, however, is no longer the case. Aboriginal groups, the traditional owners of our main uranium prospects, are very keen to develop and open up new uranium areas. That change demonstrates that the Aboriginal groups have seen the benefits which royalties and the associated jobs and development can have on their lifestyles.

Mr Speaker, I am quite encouraged. I think that, over the next few years, the process that I have described will start to develop momentum and we will see Aboriginal communities, Aboriginal organisations and Aboriginal individuals becoming more and more involved in the main game in town, which is their own economic and social development and, through that, the economic and social development of all Territorians.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, prior to the lunch break, I was told that there would be no opposition speakers on this statement and I am rather pleased to rise now to respond to all members of the opposition as well as members on this side of the House and the crossbenches. I am pleased that the general reaction to the statement is very favourable. There is no doubt at all that the initiatives which the government implemented prior to this statement and those announced in the statement are very positive developments for Aboriginal people in the Territory.

The member for Arnhem spoke of the training carried out by various organisations currently operating in the Territory, in particular the Arnhem Land Progress Association and the outstation resource centres. I have asked my department, right from day 1 in the working up of all of these programs, to look very closely at what was happening in organisations which currently exist and, where possible, to use their resources and plug into their services, and to provide them with support wherever they were delivering programs that we would not have to duplicate. The honourable member went on to talk about the establishment of crop and fish farms and said that talks should be undertaken with land councils. I know that the Minister for Industries and Development is working very closely with land councils and Aboriginal communities in the development of potential industries.

The member for Karama pointed out that the problem goes much deeper than education and training. That is recognised in the statement and it was recognised by most members who spoke. Motivation is certainly one of the ingredients to ensure that any enterprise succeeds and that people stay in jobs. In order to pursue a job, a person must have motivation. Nobody would deny that. We really need to develop the motivation that currently exists in Aboriginal communities. We need to make it clear that the opportunities exist and that, whilst we are ready to offer support, we will not fly in with buckets of money. However, if communities have initiatives in mind, we will do all that we can to match up training programs with those initiatives. Our thinking in this area must be dispassionate. I am not too sure exactly what lateral thinking means but we certainly have to expand our thinking beyond the norm so that we are prepared to look at things which might not seem practical at first. We need to give them a go and, if there is a chance that they will work, have them looked at seriously otherwise our limited view of employment opportunities might prevent us from recognising valuable resources in Aboriginal communities.

The member for Stuart was more critical of the government's efforts than was any other member. Of course, that is not unique. He did not so much criticise what is actually happening as insist that we set targets in terms of numbers, dates and so on. Of course, that is quite impossible and we all know it. That is because motivation is paramount. Without it, nothing will work. I could go into any community with a bag full of dollar notes, saying: 'I am here to save you. Set up this industry and you will all be saved'. That would not work without motivation. The communities have to come to me. When I visit them, I make that very clear. I talk about what already exists in terms of training programs, both in my department and in others, and ask them if they are interested in any of them. If they are not, I ask them to think about what they might like to do in their community and how we might be able to assist. I say that they will not be cut off and, if it is possible to accommodate any idea, we will do so.

The member for Stuart mentioned tourism, particularly involvement by Aboriginal people in cultural tourism. The Conservation Commission very definitely involves Aboriginal people. Aboriginal rangers are in training at present and they are very effective in the areas in which they work. We also include Aboriginal people in tourism training and, in the initiatives I announced today, there are quite substantial programs of training in the tourism industry which is an area in which Aboriginal people can certainly have an impact.

The view of the member for Flynn appeared to be that everybody working in an Aboriginal community should be Aboriginal. If we were to carry that right through, we would probably say that everybody working in a white community should be white. That is ridiculous and I do not believe that Aboriginal people want that. They want a mix. We should have a mix right across the Territory. Certainly, we should lift the numbers of Aborigines employed in communities to a more reasonable level, the level that the commitment of Aboriginal people will allow. Once we have achieved that level, those people should be free to move anywhere within the country. If Aboriginal people in any community wish to employ a white person, why should they not do so? Of course, the reverse also applies.

It was suggested that I seemed to be expecting failure. I am certainly not expecting failure in these programs but I would be naive if I thought that we would not have the occasional failure along the way. These programs are unique and rely greatly on the commitment of people. As the Minister for Education pointed out, the basis of the programs outlined in the statement is to fit existing jobs in communities. It is not my role to create new industries in the Northern Territory. That is the role of the Minister for Industries and Development and he is doing a very good job. We have firstly to ensure that there are jobs in the community which can be filled by Aboriginal people and then target our training programs at those jobs. That is exactly what each of the programs is designed to accomplish.

The community education centres will be an invaluable resource in terms of the off-the-job component of training in communities. Every program which I announced today is to be run in an Aboriginal community. They will not be run in Alice Springs or Darwin, nor will we be sending people interstate, as the member for Arnhem suggested. These programs are community-based. The only people who are being sent interstate for training currently are a few apprentices. Because of their limited numbers in given trades, we cannot afford to run some courses in the Northern Territory and that is why we send some apprentices interstate for training.

I am not proposing to form ministerial advisory committees at this stage. What I have proposed is informal advisory groups in Alice Springs and Darwin, people who will be drawn together in seminar-type situations in order to exchange ideas and apply some lateral thinking. In that way, we can canvass the widest possible range of ideas and suggestions.

There was considerable comment about regression in employment and I was accused of saying that Aboriginal people do not go out hunting any more. I certainly see hunting as a valuable resource for Aboriginal people and regret that fewer people go hunting these days. I recall that, on Bathurst Island 25 years ago, the Aboriginal people went hunting on a very regular basis. When the weather was good in the middle of the year, they would stay out for 8 or 10 weeks at a time. That no longer occurs and it is to be regretted.

The regression in opportunities for employment came about with award wages. I do not dispute that award wages are necessary and that Aboriginal people should be paid an award wage. However, award wages resulted in there being fewer jobs available on Aboriginal communities. In the early 1960s, everybody on the Tiwi Islands who wanted to work was employed. However, they were employed on very low wages.

The Chief Minister suggested that people would need to move away from their communities. In fact, I referred to that in my statement. I said that people would need to move away if they really wanted to be employed and there was no employment in their community. That is a realistic statement, but to say that this suggestion is in some way putting pressure on Aboriginal people to move from their communities is ridiculous. There would be no pressure put on Aboriginal people to move from their communities. In fact, they will be encouraged to fill the jobs that exist in the communities. However, if they wanted jobs beyond that, the only alternative would be to move out of the community.

The courses will cater for a substantial number of people. Not everybody who needs employment in Aboriginal communities, but quite a large number of young people in particular will be trained under these programs this year. The member for Arafura said that many people in the 16 to 25 age bracket would need to be trained and I agree with that. He indicated that we were not doing enough in respect of Aboriginal Conservation Commission rangers. In fact, the Nitmiluk agreement that the Chief Minister announced during the last few days allows for the training of rangers as a part of the agreement. I was pleased that the member for Arafura agreed that attendance at schools was very much a responsibility of parents.

The member for MacDonnell commented on the lack of reference in my statement to the role of the Commonwealth government. Clearly, the Commonwealth government does play a role in Aboriginal affairs in the Northern Territory and Aboriginal employment. It provides considerable funding. However, the programs that I have spoken about today are funded largely by the Northern Territory government. Nevertheless, I recognise and thank the Department of Employment, Education and Training for its support with these programs. As I mentioned in my statement yesterday on the school leaver program, we have a very good relationship with that Commonwealth department and it has been very good to us in a range of ways.

Mr Speaker, CDEP does require a commitment from communities, as was referred to by the member for MacDonnell. In that program, the Aboriginal people agree to pay their unemployment benefits into a fund and people are employed either full or part-time with those funds. It is a good scheme which works where there is a commitment. Without the commitment, it fails.

The member for MacDonnell claimed that I rejected pan-Aboriginality. In fact, I do if it is taken in the context that many people say exists: that every Aboriginal group across Australia is a brother in some way to every other Aboriginal group and that they would support one another in times of crisis. I reject that totally. It is like saying there is pan-humanity. If there were pan-humanity, we would never have had a world war.

The Territory would be a better place if we had many more Aboriginal people in employment. The aim of my department is to get as many Aboriginal people into employment as is possible. That will take a commitment from Aboriginal people and, without that commitment, none of the attempts of this government or of any other government will succeed. I thank honourable members for their comments.

Motion agreed to.

SPECIAL ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the Assembly, at its rising, adjourn until Tuesday 16 May 1989 at 10 am or such other time and/or date as may be set by Mr Speaker pursuant to sessional order.

Motion agreed to.

ENERGY PIPELINE AMENDMENT BILL (Serial 143)

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.

These amendments have been introduced as a result of a review of the workings of the Energy Pipeline Act, particularly as it applied during the construction of the Amadeus Basin to Darwin natural gas pipeline. This review highlighted 3 major deficiencies in the provision of the existing act. These cover the definition of 'commencement' of operation, variations to the pipeline licence area and provision of security. I will address each of these in turn.

Under section 38 of the existing act, the Minister for Mines and Energy must consent to the commencement of operations. With the Amadeus Basin to Darwin pipeline, there was considerable uncertainty as to when the consent should be given: at the time gas first entered the pipeline or at the time gas was first delivered from the Darwin end of the pipeline or at some other time. Honourable members will be interested to know that gas first entered the Darwin pipeline on 19 October 1986 and arrived at Channel Island almost 1 month later on 17 November 1986. Before consent can be given to the operation of a pipeline, I, as minister, must be satisfied that the pipeline is safe. Clause 16 of the amendment therefore envisages a 2-tier consent arrangement: the first consent for testing when a pipeline is perhaps most at risk and the second for operation to commence.

I turn to variations to the licence area. As honourable members may know, construction of an energy pipeline cannot commence unless the minister has granted a pipeline licence to the applicant. Unfortunately, our experience to date has shown that, even with the best intentions of all parties, changes to

pipeline licence areas may be necessary during construction of the line or at a later date. Variations during construction have usually come about in order to comply with the wishes of traditional owners or because of more detailed assessment of the land to be crossed by the pipeline. Variations to the licence area after completion of the pipeline are needed when the pipeline licence area has been made larger than necessary in order to facilitate construction and it is now intended to reduce this to a narrow corridor along the actual route of the pipeline.

Under the existing legislation, variations during construction are difficult to administer while variations after construction has been completed are not possible at all. Therefore, section 21 of the act is being amended to facilitate these. Honourable members can be assured that it is not the government's intention to undermine the rights of landholders by proposing this amendment. In fact, these rights are protected by section 17 of the existing act and by subsection 21B(3) of the proposed amendment.

The existing legislation has limited scope for the provision of security for compensation. The proposed amendments strengthen existing requirements by giving the minister the power to require a licensee to hold appropriate insurance as a condition of the consent to test or operate.

In addition to these 3 major changes, the opportunity is being taken to make some routine amendments to the act. In particular, the powers and provisions previously specified as resting with the Secretary of the Department of Mines and Energy will now be with the minister. This will enable these powers to be delegated to officers within the department when this is considered desirable. This is not possible at present. The bill also removes the provision in the existing act which, at the minister's discretion, provides for a refund of pipeline licence application and renewal application fees if these applications are rejected. Given the administrative tasks involved in processing these applications, even if they are rejected, refund is not appropriate.

The bill also strengthens existing penalties for persons threatening the safety of a pipeline. With increasing activity in the Territory, especially in the Top End, it is essential that our energy pipelines be properly protected. Mr Speaker, I commend this bill to honourable members.

Debate adjourned.

MOTOR VEHICLES AMENDMENT BILL
(Serial 178)

Bill presented and read a first time.

Mr FINCH (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

This bill represents a further step on the part of the government to bring the Motor Vehicles Act more in line with modern requirements. The major features of this bill are, firstly, to provide for the formal adoption of the Australian Design Rules as a requirement for registration of motor vehicles and trailers and, secondly, the bill represents another step in updating Northern Territory driver licence provisions, including the removal of doubts about the registrar's power to act in the interest of public safety. For the benefit of members, I will outline briefly what the Australian Design Rules are all about.

The ADRs, as they are commonly known, set out the design standards for vehicle safety and emissions. They are developed through a national consultative process involving government, industry, employee and consumer representatives - a group known as the Vehicles Standards Advisory Committee. The Northern Territory is represented on this through my department. The rules are endorsed by the Australian Transport Advisory Council which comprises federal, state and territory transport ministers. They are administered by the Australian Motor Vehicles Certification Board which is chaired by the Commonwealth. States and territories are represented through their registration authorities. Manufacturers or importers of vehicles have to assure the board that their vehicles comply with Australian Design Rules before the board will permit the fitting of a certification plate. One can imagine the difficulties imposed on manufacturers and importers if each state and territory government has different technical requirements and the resultant extra cost that would have to be placed on the public.

An updated set of rules, the third edition of ADRs, has been introduced recently to apply to vehicles manufactured from 1 July 1988. All states have agreed to implement the third edition of the ADRs by reference in legislation. The Northern Territory already uses ADRs as a guide for the registrar to determine whether a vehicle is fit for registration. This is done through the registrar's discretionary powers to require a vehicle to be safe. Where the registrar refuses registration, this is open to appeal to the courts. Adoption of the ADRs through the legislation will help ensure consistent minimum standards nationally. It will also help to overcome any doubt about the standards required. The registrar will still retain some discretion to exempt vehicles but will have to be satisfied they meet acceptable alternative safety standards.

To help ensure that vehicles are what they claim to be, legislation will require all vehicles presented for registration to have compliance plates or other plates approved by the Certification Board except as to be provided for in this act or under the regulations. These plates can be installed only by manufacturers or importers with the approval of the Certification Board. They represent an insurance that vehicles meet the required rules. It would be an offence to falsify or falsely use a certification plate.

Vehicles will also be required to have vehicle identification numbers (VINS) to be registered. Those which do not have this number, such as small trailers, will be allocated a number by the registrar. This will greatly enhance the identification of vehicles, assist police in recovery of stolen vehicles and provide protection for intending purchasers. Further, a residency qualification will apply before a vehicle may be registered in the Territory. Our registration and insurance contributions are considerably cheaper than those in most of the southern states and only bona fide residents and Territory-registered companies will be eligible to register their vehicles in the Territory. This will help avoid the TIO becoming liable for common law damages arising from Territory-registered vehicles being used primarily in other states.

As I mentioned earlier, this bill represents a further step in improving the driver's licence provisions. Section 12 is to be repealed. The current act requires a licence to be endorsed with the word 'spectacles' if spectacles are worn during a licence test, but does not make it an offence to drive without spectacles if a licence is so endorsed. Due to the size of the new photographic licence, it is impractical to write the words 'spectacles' on it. In fact, with contact lenses, the term itself is out of date. The act is being amended to remove this type of detail. Instead, it will allow the

registrar to endorse the conditions of the driver's licence as prescribed in the regulations. This will allow for various endorsements in code form to be put on the licence and will make it an offence to drive contrary to an endorsement of the licence.

A further amendment relates to the driving instructor's accreditation. It states specifically that this is to be an endorsement on the person's driving licence. The act currently allows visitors from overseas to drive their vehicles provided they are registered in their own country and have a third-party insurance policy that is recognised in Australia. The act does not presently provide for the Treasurer to set a rate of compensation contribution to provide this cover, should this be requested in the Northern Territory. Specific provision has now been made.

It has been successfully argued in court that the registrar does not have power to cancel, suspend or restrict a licence once issued except where the person has been convicted of an offence. There have been cases where a person has a known medical or mental condition which makes him an unacceptable risk on the road, yet the registrar has been hesitant to act until the licence expired. This problem will be removed by clearly giving the registrar much wider scope in which to act in the cases where he sees a need in the interests of public safety. It should be pointed out that the registrar's actions are always subject to the directions of the minister and can be appealed against in the local court.

A need has also been seen specifically to give the registrar powers to suspend the licences of drivers of public vehicles and private hire cars for short terms as punishment where cancellation or court action is considered too severe. This has been provided for in the amendments. These powers would be used in conjunction with the industry to reinforce the industry's efforts to upgrade its own performance.

The act prescribes a period of licences to be 1, 2 or 3 years and does not allow any flexibility. This amendment removes the prescribed period from the act and allows it to be covered in the regulations. For the same reasons as was recently done with the Traffic Act, this bill removes the power of a court to suspend a licence, but leaves it the power to cancel the licence and disqualify the driver.

Those among us who have some feel for the historical may be pleased to learn that, but for 1 small amendment, section 117(1)(a) of the act is in its original form - that is, it dates from 1949. Afterwards, honourable members may care to read the original text which contained the words 'as the court thinks fit' on 6 occasions. The amendment reduced that by 1, to 5. The amendment now manages to say much the same thing whilst using the words 'as the court sees fit' once only. The general penalty is to increase to bring it in line with the Traffic Act. The present maximum fine of \$200, which was set in 1949, will be increased to \$2000 in order to better reflect current values. The provisions for evidence by certificate are to be broadened to include evidence from other states in relation to driving licences and whether or not a person has been disqualified from driving. A new evidentiary provision will be that the person named in the certificate and the person of that name before the court are the same unless there is proof to the contrary. This will reduce the scope for artificial defences.

The transport industry has requested that the requirement for a licence for carriage of goods be abolished. It serves very little purpose, the revenue generated is minimal and enforcement is extremely difficult. The

removal of this requirement and the licence for carriage of workmen is consistent with the government's aim to remove unnecessary legislative requirements.

The other amendments in the schedule remove 'prescribed form' wherever it occurs in the act and allow the registrar to use forms approved by him. This will give the necessary flexibility to use the forms best suited to modern technology, and administrative and user requirements.

In summary, the changes are all aimed at improving the effectiveness and the relevance of the Motor Vehicles Act to the benefit of the public and industry in terms of road safety, industry performance and cost. Mr Speaker, I commend the bill.

Debate adjourned.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL
(Serial 177)

Bill presented and read a first time.

Mr MANZIE (Conservation): Mr Speaker, I move that the bill be now read a second time.

Honourable members, I am pleased to introduce before the Assembly a bill to amend the Territory Parks and Wildlife Conservation Act. The amendments proposed are designed for 3 purposes: firstly, to further develop, in a rationalised manner, the Northern Territory crocodile industry; secondly, to provide more effective controls on the entry into the Territory and possession within the Territory of exotic animals which have the potential to cause extensive damage to agriculture or the natural environment; and, thirdly, to make provision for the Administrator to limit access to certain small areas within parks or reserves, where this is provided for within a plan of management.

During the past 12 months, the Territory's crocodile farming industry has expanded considerably - not so much in the number of farms, which under the government's current management program are restricted to 3 operations, but in the scope and scale at which the existing farms are operating. The economics of crocodile farming have been enhanced substantially by the ability to market crocodile flesh for use in the restaurant trade. In addition to the exporting of crocodile skins, the farms have stockpiled a range of by-products such as skulls, teeth and back skins which are not exported.

Amendments to the Territory Parks and Wildlife Conservation Act are proposed to apply conditions to the operation of facilities that process crocodile flesh for human consumption. Processing facilities will be inspected and certified periodically by qualified government officers in order to satisfy hygiene requirements imposed by public health authorities of some Australian states. Compliance with these requirements will broaden the marketability of crocodile flesh from the Northern Territory and thus enhance the economic viability of this new industry. The requirement for crocodile flesh to be certified fit for human consumption will also be necessary in the event that Territory crocodile flesh becomes a future export product from Australia.

In 1987, the Conservation Commission discussed with the Australian states and other territories, within the forum of the Australian Council of Nature

Conservation Ministers, the development of an appropriately regulated domestic trade in crocodile skins and skin products. Further amendments to the Territory Parks and Wildlife Conservation Act will enable purchase and ownership of articles manufactured from crocodile skin or any other part of a farmed crocodile without the need for a permit. The government proposes to introduce, by promulgating appropriate regulations, a system of uniquely numbered product labels that will be required to be attached by the manufacturer to each manufactured article containing a part or parts of a protected animal. In the first instance, as I have already stated, the system will be restricted to products manufactured from crocodiles farmed and ranched in accordance with management programs approved pursuant to section 75 of the act.

The government does not possess the resources, nor does it believe it to be necessary or feasible, to issue a permit to every individual, resident or tourist who wishes to buy a genuine crocodile product as a souvenir which, I am certain honourable members will all agree, is characteristic of the Northern Territory. The product labels will bear the logo of the Conservation Commission of the Northern Territory and contain a conservation message on crocodiles aimed at promoting public awareness of the program by advising the intending purchaser that he or she is contributing to the success of an internationally-approved conservation program.

An additional amendment to the Territory Parks and Wildlife Conservation Act relates to animals which are regarded as prohibited entrants into the Northern Territory. At present, the act lists a small number of exotic animals which are prohibited entrants into the Northern Territory. In order more effectively to protect the natural environment and the Territory's agricultural interests, the government proposes to introduce the reverse principle that all exotic animals are prohibited entrants into the Northern Territory except those specifically exempt animals which are commonly held as household pets or defined elsewhere in NT legislation as livestock. This list will be contained in the regulations, but provision is also made for the minister to declare, by notice in the NT Government Gazette, additional vertebrate species not to be prohibited entrants. Provision will exist for the Director of Conservation to issue permits for certain exotic animals to be imported into and kept in the Territory in approved collections which are able to comply with housing and security conditions attached to the issue of such permits.

The proposed amendment will enable the government, if the need arises, to declare wildlife native to other areas of Australia to be a prohibited entrant into the Northern Territory if there is cause for concern that any native wildlife not indigenous to the Northern Territory has the potential to become established in the wild and have an adverse impact on the natural environment unless housed in high-security facilities.

The final amending provision concerns public access to parks and reserves. The act already provides the Conservation Commission with the power to control public access to parks in order to protect the conservation values of the area and/or to protect public safety. That power does not extend to specifically provide for the preferential use of a small part of a park or reserve by a community group or for a licensed commercial operation. The amendment provides that the Administrator may make regulations to limit public access to small areas within a park to allow for preferential use of the area as a scout camp, for example, or for the clients of a commercial tourist concessionaire. Any such limitation will affect only a small area within a park and will be subject to the provisions of a plan of management for the park. These plans

are open to public scrutiny and debate, and tabling in this Assembly before they come into effect.

Honourable members, I am sure you will support the bill before the Assembly as being in line with the present government's responsible performance in the area of parks and wildlife conservation and I commend it to the Assembly for adoption.

Debate adjourned.

NITMILUK (KATHERINE GORGE) NATIONAL PARK BILL
(Serial 176)

Bill presented and read a first time.

Mr MANZIE (Conservation): Mr Speaker, I move that the bill be now read a second time.

The bill which I introduce today is perhaps one of the most significant pieces of legislation this Assembly will ever deal with. The legislation is potentially a watershed in the relationships between Aboriginal and non-Aboriginal Territorians. Hopefully, the legislation will demonstrate clearly to the community at large that Aboriginal and non-Aboriginal Territorians can work sensibly together for the benefit of each other and for the betterment of the Northern Territory.

On 20 October 1987, the former Chief Minister, the member for Nightcliff, outlined to the Assembly the position of the Northern Territory government in relation to the Jawoyn (Katherine Area) Land Claim. The honourable member said, and I quote from the Hansard record of that day: 'The Territory will enter into immediate negotiations with the Jawoyn people to establish joint management arrangements for the national park'. This legislation is the product of those negotiations and is of vital interest to all people of the Territory, in particular the Jawoyn people - the traditional owners of land in the Katherine region - and the townspeople of Katherine.

On 6 October 1987, the Aboriginal Land Commissioner, Mr Justice Kearney, presented his report in relation to the Jawoyn (Katherine Area) Land Claim. He found traditional Aboriginal ownership to a significant part, but not all, of the land claimed. He concluded that the traditional owners have a strong attachment to the land and he recommended that a grant be made to a land trust for the benefit of Aboriginals entitled by tradition to its use or occupation. In accordance with the provisions of the Land Rights Act, the commissioner commented on the detriment which might result if his recommendations were acceded to.

In relation to the national park, the commissioner noted that the claim to the park 'aroused the strongest opposition by many people, based on genuine and deeply held values and beliefs'. He noted: 'The park is one of the great natural wonders of Australia and priceless heritage for the future of mankind'. He said: 'It is unthinkable that it should cease to be a national park, open to all Australians and to visitors from around the world'. He went on to say: 'If there were the slightest chance that the grant of this claim would put at risk the status of the park, or access to the park by every citizen, I would comment in the strongest terms of the detriment which would flow if the grant were made'. As regards the claimants' position, the commissioner said: 'At every stage during this long inquiry, the claimants have steadfastly maintained that, if their claim is granted, the park will

remain as a national park. They have given a complete, full and unequivocal assurance. It should be treated as such, it should be acted upon as such and it should be endorsed as such. I proceed on the basis that all necessary steps to ensure this result will be taken'.

In relation to water, the commissioner noted: 'The matter is of vital importance to the future development of Katherine'. He went on to say: 'I note that the claimants have stated that they will cooperate to ensure that the needs of Katherine for water in the future will be met. The Northern Territory seeks excisions from a grant of the total river catchment area. I do not consider that that is necessary, provided there is no obstacle to the construction of either or both of the 2 dams'.

Since the presentation of the commissioner's recommendations, there have been extensive discussions between the Jawoyn, their legal advisers - the Northern Land Council - and government officers in an endeavour to resolve issues of detriment such as those mentioned in relation to the park and the future water supply to Katherine so as to allow the grant to be made as recommended. I am delighted to inform this Assembly that negotiations have now been concluded and the bill I present today represents a position agreed between all parties. I am delighted because I know that government, through the Conservation Commission, has been able to demonstrate to the Jawoyn people, and similarly the Jawoyn have been able to demonstrate to the government, that we are able to work together and that our interests are largely the same.

Honourable members will recall that, in August 1988, the Chief Minister and Mr Robert Lee, Chairman of the Jawoyn Working Party, jointly announced the establishment of an interim board of management. That interim board, with majority Jawoyn representation, is now to be entrenched in legislation. Given the success of the interim board over the past 5 months, I can confidently predict that the new board will make the Nitmiluk (Katherine Gorge) National Park the premier park in the Northern Territory.

The legislation provides for the park, having become Aboriginal land, to be leased back to the Conservation Land Corporation. The Northern Territory will pay to the Jawoyn Association \$100 000 per annum plus 50% of the revenue generated by the park. The arrangements will allow new concession agreements to be negotiated with enhanced security of tenure. This will lead to an increased confidence for investment thereby ensuring an economic return to government, and an assured level of economic independence for the Jawoyn people. I should point out that, in negotiating the financial arrangement, the Jawoyn people were fully cognisant of the level of investment by the Territory in tourism marketing generally and the promotion of Katherine Gorge in particular.

I referred earlier to the Aboriginal Land Commissioner's comments in regard to future water supply for Katherine. Obviously, this aspect has been a major concern of the citizens of Katherine. As the Jawoyn put it themselves, they are a significant part of the town of Katherine and they need the water themselves. No one was going to stop water being supplied, the question was whether there should be any payments for water. Water is our most precious resource after people, and it would have been unacceptable that the government had to pay for water by up-front payments, lease payments for dam sites, pipeline rentals and the like. This bill is accompanied by the draft Katherine Water Supply Agreement which secures future water supplies without such payments. I table the Water Supply Agreement, which is not yet executed, for the information of honourable members.

I will readily admit that one of the most difficult aspects of the negotiations was the level of ministerial control. What has been agreed, and is now contained in this bill, is reasonable and, in the circumstances, the correct degree of control which the electors have a right to demand. The degree of control to be provided to me and the Chief Minister is subject to checks and balances and is acceptable to the Jawoyn people. For their part, the Jawoyn will have a far greater measure of independence than those traditional owners who assist in the management of parks controlled by the Director of the Australian National Parks and Wildlife Service and the Commonwealth minister.

Turning to the bill itself, the extensive preamble acknowledges the right of the Jawoyn people, as traditional owners, to certain land in the Katherine region. Importantly, it states that this Assembly considers it desirable that the lands are declared to be a national park for the benefit and enjoyment of all people, that the rights of the traditional owners should be preserved and provided for and that they should participate in the management of the park.

The short title provides the name Nitmiluk (Katherine Gorge) National Park. Nitmiluk is a Jawoyn word given to a location near the picnic ground and boat ramp and refers to the sound of the green cicada often heard there.

Clause 2 needs little explanation. Clause 3 also needs little explanation, although I draw honourable members' attention to clause 3(2) which allows anything that may be done or functions that may be performed by the Jawoyn Association, to be done or performed by the land council, by written consent of the Jawoyn Association. Clause 4 is self-explanatory and the need obvious. By clause 5, the lease is ratified and given effect as if its provisions were expressly enacted in the bill. I shall deal with the provisions in the lease later. Clause 6 contains an important statement, given legislative effect; that is, that the park is established as a national park for the benefit and enjoyment of all people. The park is to be used as provided for in the act, under the lease and in accordance with any plan of management.

By clause 7, later agreement between the land trust and the commission may result in the inclusion of additional lands in the park, the subject of this lease. Importantly, clause 8 provides that, subject to the act and the plan of management, the Jawoyn shall be entitled to use and occupy the park at all times and clause 9 establishes the Nitmiluk (Katherine Gorge) National Park Board. Through clause 10, the board will have 13 members, with a Jawoyn majority of 8, and 4 of the other members shall be permanent staff of the commission. Importantly, there shall be a resident of the Katherine area on the board. This person shall be appointed on the nomination of the Katherine Mayor. I repeat my earlier assertion that I am confident, given the success of the interim board, that this board's operations will be similarly successful.

Clauses 11 to 14 are procedural and need little explanation. They accord generally with the procedural provisions relating to boards and meetings in other Territory legislation. Clause 15 allows the board to appoint committees, including a planning committee, as may be considered necessary.

Part III of the bill is an important functional part of the legislation. The functions of the board and the commission are set out clearly in clauses 16 and 17 respectively. Preparation of the plan of management will obviously be one of the most important roles for the board. It will set the ground rules for the park's operation and set its future direction.

Importantly, the board's function must also be to protect and enforce the right of the Jawoyn to use and occupy the park and to ensure there is adequate protection of sites. The commission is to facilitate preparation of the plan of management, the commission obviously having experience in that regard. Importantly, the commission has control and management of the park, subject to the board's direction and in accordance with the plan of management. Clause 18 is a general powers provision necessary for both the board and commission to carry out their functions.

Clause 19 is a novel provision in the Territory. I should indicate that initially the Jawoyn were opposed to any ministerial control whereas the government believed it essential that there be a degree of control. While it is difficult to place a figure on it in dollar terms, the continued and successful operation of the park to the well-being of all Territorians and to the economy and development of, not just Katherine, but the whole Territory is massive. So much of Territory moneys are tied up in the area that I consider it would be irresponsible that there not be a degree of ministerial control.

It might be said that there is no need for such control because there is no such control in relation to the Gurig National Park. As all honourable members will know, the Gurig National Park is a totally different operation from that at Nitmiluk. Gurig is remote, inaccessible, with limited visitor numbers, not just because of its remoteness and inaccessibility, but because there are controls on visitor numbers. Nitmiluk is not remote. It is just off the main road and visitor numbers are vast, some 245 000 last year, up from 75 000 in 1981-82. The trends are that those visitor numbers are increasing rapidly. For those who are not aware, the park has one of the largest visitor numbers of any park in the Territory. It is a park not visited just by overseas tourists. It is not just a park for those interstate visitors who fly, drive and bus here. Importantly, it is the major park that most Territorians visit. The park means so much to the Territory, Territorians and the Territory's economy that I believe the provisions in this bill are justified. However, we have given substantial ground in relation to ministerial control.

While not wishing to be seen to be endorsing the proposed Aboriginal and Torres Strait Islander Commission Bill, we have drawn from ministerial direction provisions contained in the so-called ATSIC bill. Firstly, clause 2 of the bill provides that the 'minister' shall be the Chief Minister. Directions given by the minister are to be in writing and are to be tabled in the Legislative Assembly. Further, the Chief Minister will not have power to give directions in relation to the contents of any advice, information or recommendation that the board may give. Importantly also, the minister may not give directions in relation to the functions set out in clause 16(c) or (d); those functions primarily being concerned with Aboriginal matters. I consider the provisions are sensible, acceptable and necessary and these have been endorsed by the Jawoyn.

Finally in this regard, in case there is any doubt, perhaps I should point out that the power of a Territory minister to give directions to the board cannot include a direction to hand the land over to government. Simply, apart from not wanting such a power, the Territory minister is necessarily constrained by the overriding Land Rights Act. Before proceeding, I should draw attention to clause 28(2). It will be noted that the board shall not expend money to meet its administrative costs otherwise than in accordance with estimates of expenditure approved by the minister.

Clauses 20 to 22 concern the plan of management. The plan, as indicated earlier, will be vital for the proper running of the park. The board is to be responsible for preparing the plan. There are provisions requiring the board to invite public input, a sensible provision given the importance of the park to the Territory. Each plan is to have a life of 10 years unless it is sooner revoked. Clause 20(7) sets out the matters to which the board shall have regard when preparing the plan of management. I am pleased that there is an emphasis on Aboriginal related matters, in particular the employment and training of Aborigines. I have no hesitation in saying that the uniqueness of Aboriginal culture and the promotion of that culture through the employment of Aborigines in the park will considerably enhance the enjoyment and understanding visitors will gain from the park.

The plan of management is to be submitted to this Assembly for approval and, if disallowed, the minister shall forward the plan at the minister's option either to an Aboriginal Land Commissioner or a panel of 3 persons appointed in accordance with clause 21(7) of the bill. The recommendations subsequently made are to be referred back to this Assembly so that the plan, as amended in accordance with any recommendations, can again be considered by the Assembly. Clause 22 provides for amendments of the plan and procedures to be followed in relation to amendment.

Clause 23 makes it clear that the park is accessible to all. I stress 'accessible to all', and I indicate that this is the firm resolve of the Jawoyn people. There is no need for permits under the Aboriginal Land Act. Prohibitions or restrictions in relation to entry can only be applied under the act, the plan of management or in accordance with another Territory law and then would relate only to the sound environmental management of the park. Clause 24 provides that, in effect, no substantial works can be carried on except in accordance with the act, lease or plan of management. In the absence of a plan, the board and commission are given the power to perform their respective functions.

The by-law-making provisions contained in clause 25 provide for a range of areas in relation to which by-laws can be made. They are generally consistent with the by-law-making powers set out in the Territory Parks and Wildlife Conservation Act.

Earlier, I touched on some aspects of the financial arrangement provisions contained in clauses 26 to 28 of the bill. The board is to be a statutory corporation for the purposes of the Financial Administration and Audit Act. Park income shall be paid to the commission and shall be held by the commission on behalf of the board. Money payable to the board shall be advanced by the commission.

Clause 29 provides that certain provisions of the Territory Parks and Wildlife Conservation Act shall apply as if the park were a park within the meaning of that act. These provisions relate to powers of entry in respect of the director, destruction of feral animals, averment provisions, orders for damage and destruction of trespassing animals. Previous reservations under the Crown Land Act in respect of the park are revoked by clause 30. They are now being covered, in effect, by this legislation. However, where a reservation was for historic interest or for historic purposes, the legislation operates as if that reservation were still in place.

Clause 31 importantly saves existing arrangements, agreements and contracts. They are set out in schedule 3. Clause 32 makes provision for future concessions. Clause 33 allows for the surrender of an area from the

lease for the purposes of an Aboriginal cultural centre. I consider that, when completed, the centre will significantly enhance the prestige of the park.

Schedule 1 sets out the necessary description of the park. Clause 2 of the lease restates the reservation of traditional rights to use and occupy the land. The term of the lease is 99 years as set out in clause 5 and, 5 years before expiry, the parties are to negotiate the renewal or extension of the lease.

Clause 6 of the lease sets out the financial arrangements which provide for annual rental of \$100 000 plus 50% of total revenue obtained in respect of the operation of the park, payable quarterly. On current estimates, 50% of the receipts means that approximately \$40 000 will be paid to the Jawoyn each year. The rent is to be reviewed every 3 years, taking all factors into account including CPI movement, visitation rates and park revenue but excluding the capital value of improvements within the park or directly associated with it.

Payments to be made by the government are fair, reasonable, appropriate and comparative. The payments more than favourably compare with the Commonwealth arrangements in respect of Uluru National Park, bearing in mind that that agreement was reached several years ago. I understand the proportion of park revenue payable in respect of Uluru is 20% whereas in this case it is 50%. In my opinion, it necessarily encourages Jawoyn and government commitment to improve the park and to encourage further appropriate use of it. The benefit to the Territory and, in particular, to the Katherine region will be enhanced with this approach.

I should also point out that, of recent times, there has been significant support given to a variety of Jawoyn ventures in the Katherine region. These include the provision of training to 4 trainees of the Barunga-Wugularr Community Government Council for tourism ventures at Eva Valley and Beswick. This is in addition to the ranger training program at Nitmiluk, assistance with the preparation of a successful submission to the Commonwealth for funding of a buffalo domestication project, and assistance and training of staff relating to the establishment of a plant nursery and market garden to be funded through the Department of Employment, Education and Training.

Whilst it is difficult to measure the support in financial terms that is being provided by Conservation Commission officers for the development of these types of initiatives, the cost to government is significant and, importantly, the initiatives hopefully will assist in the social and economic development of the Jawoyn and the region. Further, the financial implications resulting from the employment of further members of the Jawoyn with the commission, in accordance with the agreement, and expenses associated with operation expenses, amount to approximately \$120 000 per annum. With the cost of minor new works, such as more demountable accommodation and additional vehicles and minor fittings, there will presumably be additional up-front costs of approximately \$70 000.

Consequently, taking these factors into account, and bearing in mind the costs associated with tourist promotion and support industries in the region, I believe the amount offered is the appropriate amount the taxpayer should be asked to pay. I draw honourable members' attention to clause 9 of the lease. Amendments to this bill which are substantially detrimental to the interests of the lessor or relevant Aboriginals shall constitute a breach of the lease.

Clause 19 of the lease will be of interest. Of particular note will be the requirement for cross-cultural courses. This will formalise processes which have already commenced. Clause 21 gives the Jawoyn, in a sense, a right of first refusal in respect of the disposal of park equipment.

In summary, I consider this legislative package will pave the way to ensure that the Nitmiluk (Katherine Gorge) National Park becomes one of the best in the world. This legislation ensures the park is available for the benefit and enjoyment of all people. It ensures the future water supply for the town of Katherine and ensures the region will continue to grow and prosper. This legislation, devised by the Aboriginal and non-Aboriginal people of the Northern Territory, will enable the Minister for Aboriginal Affairs to make the necessary arrangements for a grant of title under the Aboriginal Land Rights (Northern Territory) Act. Here is the government's commitment to and acknowledgement of the Jawoyn people's attachment to the land whereby their culture and tradition will be enhanced and the future of their children's children assured. I commend the bill to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL

(Serial 110)

JUSTICES AMENDMENT BILL

(Serial 107)

BAIL AMENDMENT BILL

(Serial 109)

Continued from 22 February 1989.

Mr SETTER (Jingili): Mr Speaker, there is no doubt that this government has a considerable desire to control domestic violence. Of course, this legislation is designed to do as much as we possibly can, at this stage, to achieve that goal. There is no doubt also that domestic violence is rampant in Northern Territory society, and it is rampant for a whole range of reasons. We have a young, transient population, made up essentially of an enormous cultural mix and, as well as that, many people who have come from interstate to work in the construction industry, and many who may even have come from interstate to escape from personal problems. They come up here to try to get away from it all, but they bring their problems with them. On top of that, and it is common knowledge, we have a considerable problem with high alcohol consumption. When all these ingredients are mixed together, the result is domestic problems.

Mr Collins: And this terrible climate.

Mr SETTER: And the heat, that is right. There is the silly season or the 'suicide season' as it is often termed, later in the year around October to December, when things get a bit too much for some people and they go off the deep end.

One of the problems that this creates is that our police have to contend with what they affectionately call 'domestics'. There are people such as police officers who work while you and I are in our warm beds at night. They are out there, in the General Duties Section, called the GDS by members of the police force, driving around our community looking after our interests. The bane of their lives is when the radio crackles and there is a report to attend a 'domestic' at such-and-such an address. Away they go, and they turn up at the door, and there is blue going on inside. It may well be that the

neighbours have phoned in and said: 'You had better get over here. This bloke is going to kill his wife'. The police knock on the door and probably the person responsible for the ruckus comes out and says: 'Pull your head in. This is my personal business. It is a domestic matter between myself and my wife' - or de facto or friend. The police are told to go away.

The reality is that the police have no power of entry. If they are told to buzz off, that is what they have to do because, until now, they have had no authority to intervene or interfere unless they were invited into that premises by one of the occupants. Of course, it is a very frustrating situation for them. I know from experience, because I speak to many police officers and they tell me it is so, that sometimes they spend half-an-hour or even more, in some circumstances, trying to talk through the situation, to quieten it down and dampen it down.

It is a no-win situation when people are under the influence of alcohol or are emotionally disturbed. There may have been a punch-up and somebody is bleeding from the face. It is very difficult to quieten down that situation, but the police do it, and they do it very well, within the limits of the powers which we, as legislators, have provided to them. But the powers have not been adequate. Too often, having done the best they can under the circumstances, they leave and are called to another job. About an hour later, there is another crackle on the 2-way radio and they are informed that the domestic has flared up again. Back they go again. This can happen 2 or 3 times, and it is a no-win situation all the way. On some occasions when, for example, the female of the house has been punched up - and 99.9% of the time it is the woman who has been physically abused - and the police grab hold of the alleged offender in order to arrest him, suddenly she will change her mind and say: 'Don't do that. It is okay. I have changed my mind. He hit me, but it is all over now. We have sorted it out. Don't take him away. Don't arrest him. Don't throw him in jail'. That happens regularly.

Our police officers have to face these scenes night after night, not just once or twice, but on many occasions during the night. Generally, it is during the night. We have different patrols in different areas in this city, and I am sure it is the same in Alice Springs and other towns. They have this tremendous problem of having to address domestic situations when really their role is to prevent or detect crime such as break-and-enters, car stealing and all the other things that occur. There is another point that needs to be drawn out here, and I will do that a little later. It is interesting to note that most of these domestic situations occur after the pubs close. In other words, late in the evening, between 9 and midnight or in the wee hours of the morning, when one of the occupants of the house arrives home full of booze. An argument may ensue and then the problems start.

Mr Speaker, if you speak to members of the police force who have been involved in this situation, they will tell you what I am telling you now. Situations of this kind occur regularly in the community and the police have one hand tied behind their backs when dealing with them. I am very pleased to see that this legislation will release that constraint and will provide them with the tools that will enable them to carry out their proper role of protecting society from those who would create havoc and attempt physical abuse. From reading the legislation, I understand that police officers will have the authority to enter premises where they consider that somebody's well-being is in jeopardy or some physical abuse has occurred. They will be able to remove the alleged offender from those premises and take that person to the police station where they can keep that person for a period of up to 4 hours.

If they believe it is necessary to apply for a restraining order, which is another provision of this legislation, during that time they can make application by telephone to a magistrate to obtain that restraining order, because it is important that the person who has been allegedly guilty of physical abuse be removed from the premises. Under present legislation, too often when the police go to a domestic, they might tell the guy to go away from the premises. He goes off down the road and, as soon as the police drive around the corner, he returns and starts all over again. The female of the house continues to run that risk of physical abuse and that is unacceptable. Under the new legislation, the police can remove the alleged offender, take him to the police station, cool him down for 4 hours and, during that time, apply to a magistrate for a restraining order. Once a restraining order is in place, the person against whom the restraining order has been taken out must abide by that order and one assumes that the restraining order will prevent or prohibit that person from returning to those premises, perhaps for a certain period. The penalty for a breach of that restraining order is \$2000, and rightly so. If it were not severe, it would be disregarded and, in due course, the offender would, as they say, have a belly full of booze one night, and the whole circumstance would be repeated.

There is a potential problem with magistrates in this exercise and that was the matter to which I alluded earlier. From my reading of the legislation and the minister's second-reading speech, the police are required to contact the magistrate by telephone to obtain the restraining order. As I have said, very often these incidents occur in the wee hours of the morning and if the police have to ring a magistrate, then I can see some difficulties for the magistrates.

Mr Manzie: It is not a problem.

Mr SETTER: I hope it is not a problem. Perhaps the magistrates will be able to come to some arrangement between themselves and roster themselves so that somebody is always available to take after-hours calls.

Mr Manzie: They do it now.

Mr SETTER: They do it now. That is fine and that point has been clarified. I know that a call-out system operates in many professions. Doctors, pharmacists and all sorts of professional people work on that basis.

Mr Ede: Unionists, politicians.

Mr SETTER: Certainly, politicians work on a call-out basis. I know I receive many after-hours calls myself, and some of them are in the wee hours of the morning.

It is interesting to note that the legislation provides that, if a person is unsuccessful in an application to the court for a restraining order, the costs of that application will be awarded against the applicant.

I note also that additional funding has been provided for Crisis Line. We all know of the vital role which that organisation plays in the community. People under stress can phone Crisis Line and receive counselling and support. Crisis Line helps those people to sort themselves out so that perhaps they can seek professional advice the next day. We have provided additional funding for the employment of a counsellor who, I assume, will be available to take calls from throughout the Territory. Already Crisis Line has a number of counsellors and this extra appointment will be helpful in coping with the considerable workload.

The passage of this legislation will be aligned with a domestic violence public awareness program that is soon to be launched by the Commonwealth. As the minister said in his second-reading speech, the Northern Territory government will mount a similar campaign to follow that conducted by the Commonwealth. I was pleased to hear the member for MacDonnell indicate the opposition's support for this legislation. With those few comments, Mr Speaker, I support the bills.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I intend to make some general remarks in relation to these cognate bills. Clearly, the community situation has forced the government to consider the issue of domestic violence and to take legislative action. Domestic violence does not exist in isolation. It exists in company with many other unpleasant trends and incidents in the community. It cannot be divorced from the media representation of violence in all its forms and in many places. I do not say that the media should ignore instances of violence, but I do not believe that they should be dwelt on to the extent that they are. We see violence on our television screens on most nights, either in actual programs or in advertisements for video shops. I do not have a video machine but I know that violent videos are easily obtainable in the Northern Territory. This constant diet of media violence can have a considerable impact on the lives of impressionable people. There are many people in the community whose lifestyle would not be changed in any way as a result of them seeing violent videos and having violence presented to them. Others are much more impressionable and the presentation of violence has a great impact on their lifestyle.

Even with my views on equality, I have to say that men are usually the instigators of violence, particularly domestic violence directed at their wives, their de factos and their children. Seeing a bashed-up child is even sadder than seeing a bashed-up wife. There is no excuse for anybody to maltreat a small child, especially a tiny baby. In my book, the punishment meted out to the perpetrators of these violent crimes is never severe enough. I do not envy police officers who are called out to domestic violence situations. My hat goes off to them figuratively because they are in an invidious position. There is a very old saying that one should never interfere between husband and wife because one will usually cop it from both of them. I know the police often have to wear it from both partners in a domestic dispute.

As I said earlier, the subject of domestic violence cannot be addressed in isolation. Accompanying factors have to be taken into account. Some of those are things which we as a parliament can change and some are not. I believe that much domestic violence results from the unthinking behaviour of impressionable people who have formed ideas as a result of viewing violent videos and films or reading books about violence, and seeing violence depicted in the newspapers. Male feelings of inadequacy are another major cause of domestic violence, particularly in today's world. Until relatively recently, it was considered that women's place in society was very subservient. They had, as the marriage service says, 'to love, honour and obey'. I cannot recall whether I promised to obey or not. I might have gone along with it and just said, 'Love, honour ...', and left the remainder out. I believe that many males find it very difficult to accommodate themselves to the fact that women are not the subservient little fluttery females which their early social conditioning led them to expect their partners to be. Fortunately, most men can change their attitudes and live quite happily with their partners in a changed world. Unfortunately, others cannot.

In many domestic situations, the wife goes back to work and holds down a good job. Of course, women do get the rough end of the pineapple in many families because they usually end up not only holding down a job but playing the major role in raising the children. The father or male wage-earner usually does a little bit around the house and a little bit with the children but my observation over the years as well as today is that the woman usually does the majority of the work in the house as well as bringing up the children. Frequently, the man feels inadequate. He lacks the ability to express his inadequacy in the normal way by talking about it and, instead, exerts his physical strength against the woman and the children.

Domestic violence is not limited to any single class of society. It occurs through all classes and educational levels. Much of it results from the reactions of men to the questioning of traditional attitudes towards women's issues and sex roles and of the subordination of wives to husbands and women to men which was part of our economic, social and political education. As well, legal and religious systems in our society have come under increasing challenge.

I have some concerns about the women's centres and counselling services which have sprung up to cater for the poor women - and they are poor women and I do feel very sorry for them - who are victims of domestic violence. My main concern is that I believe there comes a time when we have to stop extending a shoulder for those women to cry on. We have to encourage them to get back into the world and to fight against their situation. My personal view - and perhaps I am only contributing to the situation - is that we must teach women to fight back. I said jokingly to a few chaps earlier: 'Rather than encouraging women to cry on your shoulder, they should be taught a bit of karate or judo. That would fix those chaps who belt them up'.

Mr Speaker, I have a short personal anecdote to relate. It concerns 2 of my daughters. When they were about 8 or 9 years old, they had 2 friends who came from a family of girls and who were not used to mixing with brothers. I have boys and girls in my family and they used to have family scuffles from time to time and therefore the girls knew how to look after themselves. One of the friends of my daughters had a bit of trouble at the Berrimah School with a boy who was bullying her. My daughter came home and told me that her friend was suffering some inconvenience from this bullying. I told her what to do. Actually, she knew what to do. She knew where to scratch and kick strategically and to the best advantage. I said: 'Well, do it. You have to protect your friend. Friendship is very important'. That was the practical approach to equality and feminist views of survival which I implanted in my daughters. Both daughters went to school and stuck up for their friend and that little boy never troubled them again.

I have a question to ask of the honourable minister. It relates to orders to keep the peace. I have read the relevant clause and I find it a little unclear. It appears that, having attended a domestic violence situation, a member of the police force can apply to the court for an order to keep the peace. Proposed new section 100AB(4) includes the words: 'As soon as practicable after an order under subsection (1) is made, the Clerk shall cause a copy of the order to be served on the defendant'. I assume that that refers to the order to keep the peace. Further on, proposed new section 100AB(7) states: 'As soon as practicable after the conclusion of the hearing to which the defendant is summonsed under subsection (5), the Clerk shall cause a copy of the order recording the decision of the court to be served on the defendant'. I would like the minister to tell me whether the same order is being referred to in each case. I assume that the order is made and then goes

to the court for ratification or otherwise, but I would like the honourable minister to tell me whether my reasoning is correct in relation to that matter.

Mr Speaker, I support this legislation. I hope there are not too many calls for help from these poor women. I believe that the government must address the matter of domestic violence, not only in isolation but in the context of the many factors which contribute to it.

Mr EDE (Stuart): Mr Speaker, I support this legislation. I, for one, am fed up with being telephoned in the middle of the night by some poor woman who is in terror of, generally, a drunken pseudo-macho husband or boyfriend who believes it is his god-given right to take out his frustrations on his wife and children. As all honourable members are aware, what generally happens is that the police hold on to the perpetrator for about 15 minutes, after which time he is again free to return, full of hatred and grog, and wanting to continue the argument. Obviously, the police cannot mount 24-hour protection at every house where this situation occurs.

In many instances, women's refuges and other such places are full. People should not be forced to flee with their children from their homes in the middle of the night fearful for their lives and safety. That is just not on. As a result of this legislation, I hope that a number of those taken into custody will be held. The word may then spread and, when people are told by the police to stay away, they might start to take some notice.

During the period when I was senior police officer on various stations in Papua New Guinea, the task that we dreaded most was dealing with domestics. You are told that there is a row on at a certain place. In a small community, both of the people involved may be your friends. You intervene knowing that, in the end, you may be the person who is most hated. You hope that they will put it behind them and get on with their lives but, in the meantime, you have to try to minimise the amount of disruption, the amount of hate, the amount of violence and the effect it will have on people's lives while they cool down and, hopefully, start the process of putting their lives together again. In such a situation, you are supposed to demonstrate the wisdom of Solomon, the patience of Job and the strength of Samson. It is not an easy job. I have never met a policeman who pretended that he enjoyed it in the slightest. People say that there should be police who are trained especially to handle situations of this kind. In the best of all possible worlds, it would be wonderful if every police station had a special squad of people trained specifically in relation to domestic violence. On receipt of a phone call or a radio message, they would take charge of the situation and treat it with the delicacy that it requires. However, I defy the best welfare officer to solve the problem where there is a wife who has been thoroughly belted, a child who has been burnt or smashed and a husband who is standing in the corner threatening all sorts of violence to everybody else whether you leave immediately or not.

This legislation probably leaves itself open to criticism by some of the more absolutist human rights groups which may say that the rights of the offending party may not be guaranteed sufficiently because he must keep away when he has not been through a full court process to prove his guilt or whatever. I think that both sides have rights and that the rights of the spouse and the children must be paramount in this situation. If the other party is told to keep away, it is to be hoped that he will have the common sense to do that and return at a later time to try to work things out. I hope that that becomes the community attitude. The power that is being enacted in

this legislation may allow the community to start looking in that direction. Mr Speaker, I commend the bills to honourable members.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to support the proposals of the Chief Minister. Every member would agree that this is probably the most difficult area of legislation that the government has had to address for a long time. It would be fair to say that, at some time, almost every member of this House has been involved in the sort of disputes that we have been talking about where families become aggravated with one another, horrendous disputes and brawls start, there is personal damage and property damage, lives are broken and families are wrecked. It never seems to stop. The community does not seem to learn from the damage that is done in one case after another and there seems to be little respite for people in the future.

Over many years, I have spoken to many policemen who have been the first to arrive at the scene of family disputes. They are loath to go on many occasions because, whatever they do in an attempt to help, generally they find that both parties turn against them. Many years ago, a policeman said to me: 'I learned very soon that you wait until they have beaten each other and have no energy left. Then you try to sort it out'. That is regrettable, but that is the level at which the police are faced with the problem.

The moves that the government is making are correct. There will be dispute over a potential infringement of people's rights and civil liberties and the intrusion of the welfare authorities or the police or whoever in people's lives and it will be said that that intrusion may be unnecessary, unwanted or even unasked for. Nevertheless, when you see the damage that is done in some families, particularly to the children, some of whom are traumatised by seeing their parents fighting one another, you feel that you really must do something even though it can be reasonably argued that it is nobody else's business. I believe this effort by the government is very reasonable. While there will be contention about some parts of the legislation and certainly some dispute in the community as to whether it should proceed, I am prepared to give it open support on the grounds that there has to be a better way than what we are doing now.

The other matter that I want to put to the Chief Minister is that there should be a complement to the legislation. The disputes that we are talking about result in damage and trauma to families yet, for many people in the Northern Territory, there is no access to the counselling they need to resolve the situation and try to put their lives back together. In many communities, no form of counselling is available. Some of the religious fraternity would tell you that they do it as untrained persons, at great risk and sometimes very unsuccessfully. When there is a dispute in a family, having settled the dispute at the time, the obvious next step is to try to get a reconstruction of the family. Often that takes painstaking and patient deliberation by counsellors who are well-trained in their field. I have taken the trouble to speak to a couple of the Northern Territory's counsellors about their workload. Their view is very simple. They have a heavy workload but they believe it is only a fraction of the work that should be done in an attempt to keep families stable. Regrettably, many people will not seek counselling. In many cases, only one party will be involved in it and quite often it fails for that reason.

I put to the Chief Minister that counselling be considered as an extension to the legislation. I do not think it could be compulsory counselling but there needs to be a network of counselling services available throughout the Northern Territory if the legislation is to have any long-term effect. It is

important to stop the conflict and the damage that is being done at the time but, if that damage is inflicted every Friday night or Saturday night or 2 or 3 times a month, that is perpetuating the cycle. If we do not follow up the legislation with the counselling or family support needed to ensure that the cycle is broken, we are simply patching and bandaiding the problem.

I emphasise the counselling problem because there are so many families in the Northern Territory that have no extended family support. When trouble comes, and it comes to all families in the course of a lifetime, many families have no one to turn to, no one to call on for support and advice. That is a great hole in the Northern Territory's social fabric and the job now falls to us to try to fill that gap in some constructive way. This legislation is the first step. I believe that the next step should be to develop a very comprehensive counselling network so that families can have the opportunity to reconstruct their lives in a very positive way.

I will refer to Tennant Creek to give an indication of the problem. I would regard Tennant Creek as a pretty tough little town. I think it would be fair to say that we have more than our share of family disturbances and breakdowns. Unfortunately, however, the available marriage guidance counsellor comes to town for only one day every month, which is of little help to people who really want to try to keep things together and make a better fist of their lives. Members of the religious fraternity tell me that they spend a considerable amount of their time trying to keep families in a positive mode and trying to minimise the sort of trauma that we have been talking about during the course of this debate. They believe, however, that the role they can play is very limited because they are not trained specifically for the task at hand and the workload is overwhelming. One can understand how both the traumatised parties and those trying to help might feel.

Of course, there are plenty of places in the Territory where people never have the chance to see a counsellor. Aboriginal communities fit into this category. When strife starts in such communities, no support is available and the parties continue their warring ways, often ending up in court and involved in disputes over the custody of children, property settlements and all the rest of it.

Any move that this parliament can make to try to ensure that families stay together, with the children growing up in a caring environment in the company of loving adults, will be very positive. The legislation put forward by the Chief Minister is a start but, unless we follow it up with some good counselling networks right throughout the Northern Territory, it will only have the effect of bandaiding the problem.

Mr LANHUPUY (Arnhem): Mr Speaker, I rise to express my support for this legislation. I am sure that many honourable members would be aware of some of the situations which arise in areas outside the major cities in the Northern Territory, especially in small communities. I support the comments of the member for Barkly in relation to the extension of counselling services to communities outside Darwin and Alice Springs. At times, the only counselling service available is from the religious fraternity. Some of its members, who are simply lay preachers, are rather reluctant to assist people who have domestic problems, often because of relationship situations with the couple involved in the fight or argument.

I have seen situations in which kids have been separated from families and wives have been knocked about pretty badly, and in which police officers have

had the courage to intervene. In this context, I ask the Chief Minister whether police aides will have the same powers and obligations as police officers in these situations and, if so, how he intends to ensure that their interests are looked after, particularly given that a police aide might be very closely related to a specific family which is involved in a dispute. Police aides could find themselves in some very difficult situations, particularly when one considers that the nearest police station may be several hours' drive away. I think the legislation may be deficient in this respect.

The government talks about its intention to employ more Aboriginal people in communities working towards self-determination, and to use police aides, hopefully with the support of the local police, at places such as Jabiru and Nhulunbuy. Even in a place like Nhulunbuy, however, problems can arise. A police aide may get into trouble with an immediate relation of the person he is taking into custody and the resulting chain reaction can place his life in great danger. This has happened at both Angurugu and Yirrkala and I would like the honourable minister to give the police aides some sort of protection in those isolated areas because I believe that they do a good job. I support the bill.

Mr SMITH (Opposition Leader): Mr Speaker, domestic violence has been one of the hidden sicknesses of our society. The actions of governments throughout Australia are slowly revealing the extent of this cancer. I disagree with the comment of the member for Jingili. We tend to believe that it is everybody else's problem and that people in positions like ours do not become involved in or cause domestic violence situations. The really horrifying thing about domestic violence is that it is not related to income, socioeconomic position, the start one has had in life or any other traditional indicator of disadvantage. It occurs right across our community. Without being specific and without wanting to be sued, it often involves the people next door, even in the middle-class suburbs which most of us live in. That is the real problem with domestic violence. It cannot be easily classified. One cannot say that it will never involve oneself or one's friends. It cuts right across all the barriers within a community and people in all sections of the community are equally susceptible to it. We need to take the blinkers off. We need to have a serious look, not only at the results of domestic violence - which is the area in which this legislation will operate - but at the causes.

I join the members for Barkly and Koolpinyah in saying that this legislation, desirable as it is, will not be terribly effective unless it is part of an overall package. That package must be specifically directed towards prevention rather than cure. Prevention includes assistance to people, in the early stages of violent situations, to remove themselves from it and to seek help. I am not sure how this might best be effected, but it means also identifying potential cases of violence so that preventive action can be taken. The problem is extremely complicated and this bill will not solve it. Certainly, the opposition supports it as a positive, initial step in dealing with what seems to be an ever-increasing problem in our community. It is particularly important because, for the first time, the perpetrator of violence will pay the price. The perpetrator will be forced out of the home rather than the victims of violence. That approach is well worth trying and we support it.

Like other honourable members, I would like to take the opportunity to express my appreciation for the work of the police in this area. As almost everybody who has spoken in this debate has said, it is extremely sensitive and dangerous work and police sometimes find themselves involved in very

dangerous situations. I know that, quite often, the police are called out to a domestic and, when they get there, find that both parties turn on them and ask what they are doing interfering in their domestic affairs. On occasions, that can lead to a very dangerous situation indeed for the police. They have, I am sure, broad community support for the difficult role that they have. Of course, the police are the last resort. I think it is in all our interests to attempt to find ways of putting in place strategies that will ensure that police are called out on the minimum number of occasions in relation to such situations. As I have said, that means putting in place a whole package of ideas to minimise the potential for domestic violence.

I congratulate the government on this step. I think we will all be waiting and watching to see how the legislation works. I hope that we do have a commitment from the government for it to be a meaningful measure, which means providing the extra support and resources that are needed to ensure that it works properly and effectively.

Mr MANZIE (Attorney-General): Mr Speaker, I rise to support the legislation. As an ex-policeman and a person who has had first-hand experience in dealing with domestic violence situations, I strongly support the ouster provisions contained in this legislation. We will never get rid of the problem of domestic violence, but I am very pleased that the community as a whole recognises that a husband does not have the right to abuse his wife physically. A practice that has been accepted through the ages until quite recently has been that the husband has the right to control his wife in any way whatsoever, including the application of physical beatings in order to keep her in line. Thankfully, that attitude is changing and the generation that is now growing up accepts that that is a repugnant way to do things.

The frustrations experienced by police in their involvement with domestic violence are quite real. Quite often, the parties involved do not contact the police. The neighbours contact the police because of the noise of trauma occurring. As has been said, when the police arrive, the hostility of both parties is often redirected towards them. At other times, in order to preserve life and limb, the victim is removed from the premises allowing the perpetrator to stay there. Under this legislation, the ouster provision will ensure that the victim is the one who stays in the home, often with the children. It also allows for a cooling-off period, which is most important.

Quite often, one of the real frustrations for police is the victims being adamant that they want the offenders, which in most cases are their spouses, arrested. During the heat of the violence of the commission of the assault, the victims frequently maintain that they will provide evidence. The police comply only to find that, on the following day, the victim withdraws the complaint or, when appearing in court, withdraws the accusations that were made originally. In a worst case, the end result could be that a policeman could be in trouble for carrying out a false arrest.

I have seen a circumstance where a wife, who had been shot by her husband during a domestic situation, stood in the witness box and asked the magistrate: 'Do I have to give evidence? Can you force me to give evidence?' The magistrate said: 'No, you are competent, but I cannot compel you'. The woman said: 'I do not wish to say anything, because I am quite happy with my husband. We are in love'. She had been in hospital for a couple of months. Problems like that occur. Hopefully, 80% to 90% of the time, the cooling-off period will allow sane and sober heads to solve the problems the next day.

One point that people should be aware of is that domestic violence situations do not occur in one particular strata of society only. People have often assumed that the less-educated, lower socioeconomic groups are more prone to this sort of behaviour but, if honourable members look at surveys that have been carried out over the last few years - not only in the Territory but elsewhere - they will find that there are more people in the better-educated and the higher socioeconomic groups who actually practise domestic violence. It is most surprising to learn that.

The policeman is the person who is called, quite often by the neighbours, and everybody expects him to solve the problem. Frequently, the frustrations of parties who expect so much are directed towards the police and what they perceive to be a failure on the part of the police to solve the problem. Unfortunately, society today expects the policeman to solve all problems and to do so instantly. Quite often, we do not give power to the police to enable them do that. This legislation will allow the police the power to remove a man from his castle. But I believe that, in order to protect innocent victims in most unfortunate circumstances, it is necessary for this to happen. I certainly commend the bills to all members.

Mr PERRON (Chief Minister): Mr Speaker, I will touch on a few of the matters that have been raised by honourable members in this debate. Firstly, the question about adequate training for the police was raised and I can assure honourable members that police will receive training in this new legislation. They are the ones who will have to implement the legislation. They will be trained in the interpretation of the legislation and in their powers under it. I understand also that Crisis Line officers will be addressing police officers on the subject which will assist them to understand some of the situations in which they are likely to find themselves when they intervene in a domestic dispute.

I point out to those honourable members, who have not had an opportunity to see the police training facility at Berrimah, that one facility that they have there is a complete house which is used for training purposes. The house has no roof and there is a walkway all around it and across the top. In all other respects, the house is complete in every detail. In the house, situations can be acted out wherein police have to enter and intervene. Of course, it has not been constructed simply for the re-enactment of domestics. It is used for all sorts of training purposes such as anti-terrorism, the management of people who are holding hostages, and so forth. It is a very modern facility and a very easy one to work with. The students are able to see exactly what is being done by the instructors.

The subject of hearsay evidence was raised and proposed section 100AG, which allows a court to entertain hearsay evidence, is a matter for the court. If the court wants more information or wants to dismiss hearsay evidence, it can do so. There is nothing to compel the court to accept the evidence. The bill says that it can be presented because it is believed that, in these circumstances, it may well be necessary. Honourable members will appreciate that, in some cases, police officers will be the people initiating the action rather than one of the spouses.

It has been suggested that we should monitor the effects of the legislation, and we certainly will do that. We monitor the effect of all legislation as far as community concerns are expressed and, certainly, if police officers themselves believe that laws are particularly unworkable, they will make representations through the appropriate channels.

The member for Koolpinyah sought clarification of proposed sections where clerks serve orders on people. To clarify it for her, the second situation, which I think is covered by subsection (7) where the clerk is required to serve a notice on someone, was where that person was not in court in the first situation. If she will think about that, I think it will be clear to her.

The member for Arnhem raised the question of police aides and the difficulty they will face in some situations of intervening in a domestic where the aide might be interfering with the tribal hierarchy, tribal taboos or whatever. I appreciate what he is saying, but all I can say is that, if the aide is forbidden by tribal law to intervene or physically to take into custody some member of the tribe, then so be it. If he is forbidden then, no doubt, he will not do it. I cannot solve that problem for the honourable member. I do not think we can solve it.

As far as the powers are concerned, I understand that police aides are appointed with certain powers assigned to them by the Commissioner of Police. If the Commissioner of Police has vested the power of arrest or the power to implement this legislation in a police aide, then that will be his responsibility under the legislation, and that is part of being a policeman. Policemen do have some awful responsibilities. Thankfully, there are still people in the community who are prepared to accept that onerous task. Police aides are really no different except to the extent that they may be bound by tribal influences that we do not understand quite fully.

In closing, I appreciate honourable members' support for the legislation. It is innovative legislation. I do not think ouster provisions exist elsewhere in this country in this form, although they have certainly been discussed in writings on the subject by people who have examined the difficulties of coming to grips with domestic violence in our community. I was pleased to hear the appreciation expressed for the very difficult role that the police have in this matter. It is all very well for us to pass laws in armchairs, as it were, and put many wise words into the Parliamentary Record. However, it is the role of the police to go in physically, size up these situations up and make a judgment as to whether there is sufficient evidence for an arrest on the grounds of assault or whether there is not but that the situation is such that, in their opinion, they should not simply leave the premises because of an expectation that a person will suffer physical harm or, indeed, mental harm. This legislation will give them the power to make that judgment. They can take a person away for a maximum of 4 hours during which time they must seek an order from a magistrate, by phone if necessary, in order to confirm that the offender is barred from returning to those premises for the period specified in the order.

For honourable members' information, and they may not be aware of this, it is expected that, in quite a few cases where a policeman phones a magistrate seeking such an order, the magistrate may well want to speak to the offender, who will be in the custody of the police officer. The magistrate may wish to question the offender in order to clarify the situation in his own mind and assess whether to make the order. Mr Speaker, I thank honourable members for their remarks.

Motion agreed to; bills read a second time.

In committee:

POLICE ADMINISTRATION AMENDMENT BILL (Serial 110):

Bill taken as a whole and agreed to.

JUSTICES AMENDMENT BILL (Serial 107):

Clauses 1 to 3 agreed to.

Clause 4:

Mr PERRON: Mr Chairman, I move amendment 62.1.

This is a very simple amendment. It omits certain words from a clause with a view to a subsequent amendment.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 62.2.

This amendment inserts a new subclause which consists of the statement previously contained in the latter part of the proposed statements. These 2 amendments are principally matters of drafting.

Mr BELL: Mr Chairman, I have looked at the amendment and I accept the reason given for the insertion of the words 'under section 100Ac in relation to the person'. Apart from that, it is a simple syntactic amendment.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 62.3.

This amendment omits reference to 'complainant' twice occurring in this proposed section and substitutes the word 'applicant' to be consistent with the language in the new division. Honourable members will be aware that throughout the bill refers to 'applicant' but, in this clause, there were 2 references to 'complainant'.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 62.4.

This clarifies the procedure in relation to service by AR Security Post by providing that the defendant has to acknowledge receipt of the mail containing the order.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 62.5.

This amendment inserts the words 'orally or in writing' after the words 'made known'.

Mr BELL: Mr Chairman, this subsection deals with breaches of orders. This particular subclause deals with the circumstances in which the person who has been the subject of an order has been deemed to have been served with a copy of an order or an order as varied. He is deemed to have been served in 5 circumstances: it is served personally on the defendant; in the case of a telephone service under proposed section 100AC, the magistrate making the

order advises the defendant by telephone of the terms of the order; it is properly addressed and posted, and there is the receipt provision that was covered by amendment 62.4; its existence and terms are made known to the defendant by a member of the police force - and that is expanded by this amendment; or, fifthly, it is served in such other manner as the court or a magistrate orders. Thus, the court or the magistrate has a discretion.

This amendment clarifies the circumstances under which the order or a varied order is made known to the defendant, and a member of the police force can do it orally or in writing. I am not going to go to the wall on it, but I have a few reservations, particularly in view of the fact that the court has a discretion. A member of the police force may say that it will not be convenient for him to do it in writing and so on, and there could be circumstances in which a defendant's being informed orally by a member of the police is not satisfactory.

Mr PERRON: Mr Chairman, I may be a little confused here myself. I thought this might apply in situations where an officer has sought from a magistrate, by phone, an order for a person not to be allowed to return to a premises. In such circumstances, having received over the phone the magistrate's concurrence, I understand that the magistrate fills out a form at his end of the line which forms a record of the time, date and other relevant information and the police officer fills out a form at his end also, to record that phone call. I understood that it was then that the police officer could inform the defendant orally that an order had been made which holds him over until the convening of the next magistrate's court, and that he is not to go back to the premises. In fact, the Police Association itself brought this to my attention. It felt that there needed to be a description of how a police officer was able to make it known to the accused.

Amendment agreed to.

Mr PERRON: Mr Chairman, I move amendment 62.6.

By way of explanation, this amendment inserts a new section 100AK to provide that members of the police force who make applications under the division or who represent other members of the police at a hearing under the division, and who act in good faith and in the normal course of duty, are not liable in any civil action arising out of the conduct of the hearing.

Amendment agreed to.

Clause 4, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

BAIL AMENDMENT BILL (Serial 109):

Bill taken as a whole and agreed to.

Bills reported; report adopted.

Mr PERRON (Chief Minister): Mr Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

PLANT DISEASES CONTROL AMENDMENT BILL
(Serial 155)

Continued from 30 November 1988.

Mr EDE (Stuart): Mr Speaker, as honourable members would know, these amendments became necessary because, although the act has operated in the Territory for almost 10 years, a particular deficiency in the act obviously requires amendment. Whereas there are penalties for importation of diseased fruit and plants etc which are prohibited goods, there is no power for the disposal of those goods. The rather ridiculous situation exists that somebody who brings in diseased fruit can be punished with the full force of the law, but the diseased fruit itself has to be dumped by the wayside or left where it is. Obviously, that problem needed to be rectified.

There is the need to amend section 14. I believe the honourable minister intends to provide a clearer definition of what 'host fruit' and 'host plants' actually mean. My understanding is that the amendment allows for fruit and plants to be scheduled whereas, previously, if the plant or fruit was diseased, action could then be taken in relation to it. Under this amendment, where the fruit is of the type which would normally have the disease in it, and comes from an area which is infected or is part of a consignment which is infected, instead of removing only those fruit that are affected, for safety's sake, the consignment can be regarded in the same manner and treated as infected and therefore be subject to inspection and the rest of the requirements under the act.

The honourable minister probably can give us a more succinct explanation than that. Obviously, the bill is necessary. It fills a gap that existed in the Plant Diseases Control Act. As all honourable members know, members on this side of the House are champions of the horticultural industry and want to see its very substantial and rapid development, and we know that that ...

A member interjecting.

Mr Smith: We are talking about the professional horticultural industry, not the amateur.

Mr EDE: I certainly would not like to see a disease in grapes being introduced into my electorate or anybody else's.

Mr Speaker, we support the bill because it will place a necessary weapon in the hands of the department to ensure that the whole industry continues to grow and thrive.

Mr COLLINS (Sadadeen): Mr Speaker, as you may well be aware, I have something of a vested interest in keeping diseases affecting horticultural produce out of the Territory. As I am keenly aware, South Australia gets around free trade across the borders by saying that, if fruit comes from an area in which fruit-fly is endemic, it cannot pass through that state unless it undergoes some very expensive testing which may well render the fruit far less marketable than it would be if it passed through quickly and in a fresh state.

As you would be aware, Mr Speaker, Alice Springs is not free of fruit-fly ...

Mr Ede: It used to be.

Mr COLLINS: So? At this stage of the game, it is not. It is of concern to people in the Pine Hill/Ti Tree area that it does not get into those parts of the Territory because, if it does, limitations will be placed on the marketing of produce from the area. Something which may surprise a good number of people is that the Ti Tree area, in particular, is an area where people are experimenting with mangoes in an attempt to find a fruit which will develop at the end of the usual mango season, and I certainly hope that they will do well. However, mangoes will host the fruit-fly if it comes to that region. They tell me that even citrus will host a certain variety of fruit-fly. I have a few citrus trees and therefore that is a problem. As far as I know, grapes are not a host for fruit-fly. Nevertheless, if fruit-fly were to be detected in the Ti Tree area, we would be restricted from sending grapes to South Australia and we would be restricted from international export.

It may interest you to know, Mr Speaker, that one of my agents in Sydney was quite keen to obtain grapes from the Ti Tree area to send to New Zealand. That was because fruit-fly is occurring in many areas, particularly Mildura in Victoria, and the New Zealanders will not accept fruit from that particular area. For that reason, the growers in the Ti Tree and Pine Hill area are very keen to keep fruit-fly out if we possibly can. If it did occur there, a good spray program would probably clean it up because the properties are pretty well isolated from one another. However, that would be expensive and it would be better to avoid the necessity for it. The 3 properties are monitored by the department. Fruit-fly traps are in place and are inspected regularly in case fruit-fly occurs. Because it has not occurred so far, our markets are more open than those for growers in other places.

One paragraph in the minister's second-reading speech worried me at first. He said: 'In particular, the import of or the possession of scheduled fruit-fly host fruits produced interstate is prohibited by ministerial notices under the act'. If that were literally true, no peaches, apricots or nectarines could be brought into the Territory because they can be fruit-fly hosts. I trust that the explanation is that the minister was actually talking about host fruits which originate in areas known to be infected. That is a sensible interpretation.

Obviously, this is a very sensible piece of legislation that is designed to protect a fledgling industry. I support it, as will all people who are involved in horticulture.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I support this bill. I believe that it is necessary as activity in the horticultural industry increases from month to month and year to year. As the honourable minister said yesterday, the industry is now worth about \$15m annually to the Northern Territory. That is a considerable amount of money and the industry needs all the protection it can get. However, whilst I agree that the thrust of the bill is necessary, I believe that the current act covers some of the situations which the minister is trying to address in this bill.

The main thrust of the bill is to introduce several new features which are not in the current act. One of those is the definition of 'host fruit'. Another relates to the sale of materials or produce seized by an inspector and the forfeiture of proceeds of such sales. Obviously, this legislation will have to be administered with care and common sense, as the member for Sadadeen pointed out in relation to the matter of host fruits. In terms of prohibitions on the import of fruit from outside the Territory, I hope that the legislation will be implemented more carefully than has occurred with

similar prohibitions interstate. I will not go into details but somebody worked the oracle once in relation to some mangoes which I sent to Western Australia. I have not heard of anything like that happening here. Our Department of Primary Industry and Fisheries is too small for any shonky dealings to escape notice and its officers maintain a very high standard of professional conduct.

In his second-reading speech, the honourable minister said that the current act contains no provision for the government to seize and dispose of prohibited goods. I do not believe that is correct. I believe that such provision exists under subsections 14(1), (2) and (3), which allow an inspector to enter a premises and, if he has suspicions about fruit, plants or packaging, to examine, identify, disinfect, treat or destroy them or cause them to be removed or destroyed. I do not believe that the minister's statement was correct and I would like him to check that. I believe that my reading of the act is correct. Although it is a minor point, I believe that I am right and he is wrong.

Clause 6 relates to powers of inspectors and amends section 14 of the principal act, setting out the powers in some detail. These powers of entry, inspection and seizure are very similar to those set out in paragraphs (a) and (b) of subsection 14(1) of the principal act, and I believe that the changes here are largely semantic.

Proposed subsection (1A) of section 14 of the principal act states that an inspector 'may exercise a power under subsection (1) notwithstanding that the fruit, plant or packaging may have been imported or introduced into the Territory or a part of the Territory'. It refers to the case of a host fruit and so on. I am unclear whether it means legally at the correct place or legally in the correct way and I would like the honourable minister to give an indication of exactly what is meant.

Under clause 7, proposed new section 14A refers to disposal of seized perishable articles: 'Where in the opinion of the inspector any fruit, plant or packaging seized under section 14(4A) may rot, spoil or otherwise perish, the inspector may arrange for its sale or other disposal (and, in the case of packaging, the sale or other disposal of the fruit or plant with which it was seized) ...'. In my opinion, in all probability, fruit which might rot, spoil or otherwise perish because of the presence of fruit-fly or some other pathogen would not be sold but would be destroyed. I would be very concerned if fruit which was diseased in any way found its way onto the open market because that would only compound the situation that we want to avoid.

Mr Speaker, I do not have any great objection to the bill. In fact, I think it is a step forward. In my opinion, its main thrust is to introduce a definition of 'host fruit'. Sensibly, it gives inspectors the power to forfeit to the Crown any proceeds because it would be undesirable to have large amounts of rotting produce sitting there. I would like the honourable minister to clarify the reference to selling produce because, if it has come into the Territory without being covered by the appropriate permits, it may be diseased and most certainly should not be sold. I support the bill.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I will pick up a few of the comments made by honourable members whom I thank for their contributions. The member for Stuart raised a query in relation to host fruit. The change in definition is to enable a differentiation between fruit in general terms and host fruit as the term relates to a particular type of fruit which might carry an insect or other pest and which could pose a threat

to plant life in the Territory. The change provides the ability to concentrate on those particular host plants which may constitute a threat.

The member for Sadadeen commented that an outbreak of fruit-fly might occur in a particular area as a result of the entry of host fruit. He used Ti Tree as an example and said that, in that area, a spray program could be put into place to control the outbreak. That is correct. However, it is the very situation that we are trying to avoid with this legislation. The cost involved in such programs is what we want to eliminate. Those circumstances also bring great inconvenience to growers for obvious reasons. If their product needs to be quarantined, that directly affects their market. It is important to recognise that there are control programs but we want to avoid the need for them at every possible opportunity.

The member for Koolpinyah raised a few points in relation to the powers of seizure and suggested that those powers exist in the current act. In relation to a case that went before the courts, the Department of Law noted that the existing legislation 'does not empower seizure at all'. That was the very problem that we faced. Officers had the ability to inspect, but not to remove. There is little point in investigating the importation of potentially dangerous goods if we have no power to seize and dispose of them to remove the risk.

In respect of the sale of products, I will give an example. If soya beans were imported into the Territory, they would require compliance certification. In the event that a shipment arrived in the Territory without the necessary compliance certification, those goods could be seized. If, in the long run, they were found not to be contaminated, they might well then be sold. The outcome could be determined either by the courts or by the Chief Inspector of Plant Diseases. The member for Koolpinyah is right in saying that there would be no point in selling diseased product. That would defeat the whole purpose of the bill.

These amendments are necessary to safeguard our horticultural and grain industries. I thank honourable members for their contributions.

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.

PRISONERS (INTERSTATE TRANSFER) AMENDMENT BILL
(Serial 154)

Continued from 29 November 1988.

Mr BELL (MacDonnell): Mr Speaker, as honourable members will recall, the Prisoners (Interstate Transfer) Act was enacted by this Assembly some 5 years ago. As the Minister for Health and Community Services pointed out in his second-reading speech, there have been some teething problems with its operation and some shortcomings have become obvious. This bill is designed to remedy those.

The chief difficulty relates to a problem with the transfer from the Territory of prisoners standing trial for Commonwealth offences. The opposition is happy to accept the reasons for the transfer and notes the

comments of the minister in his second-reading speech. We accept the need for these amendments.

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 MANZIE (Attorney-General): Mr Speaker, I move that the Assembly do now adjourn.

Mr SMITH (Opposition Leader): Mr Speaker, there are some serious issues and concerns relating to the latest release of water by Ranger from its mine site. It is unfortunate that, this morning, in his normal manner, the minister did not address those concerns and again poured scorn over responsible bodies such as the Office of the Supervising Scientist and the Northern Land Council which have a demonstrated record of treating very sensitive subjects sensitively but with the interests of the ongoing mining operation at heart. There was a particularly stupid comment from the honourable minister that the Northern Land Council was trying to close down the uranium mine. As a Northern Land Council person said today: 'How stupid. Would we be doing that when we get most of our royalty money from the operation of that mine?' The Northern Land Council has demonstrated a very professional and sensitive attitude to ongoing problems that have arisen at Ranger concerning water release. Unfortunately, the honourable minister has not demonstrated the same concern.

The problems revolve around the waste rock dump that has been put in place by Ranger and the run-off from that dump. The waste rock dump has been there for some time and there have been no possible problems with it. Late last year, it was decided by the mining company that low-grade uranium ore should also go into that dump, and that was where the problems arose. When the decision was made, it was decided by the company - and agreed to by everybody concerned - that the RRZ, the restricted release zone, should be extended to include the waste rock dump area. That was a very sensible decision. What has happened subsequently is that the problems with run-off from the waste rock dump have not been solved. It appears that there is seepage from the waste rock dump, which contains low-grade uranium ore, directly into RP4, Retention Pond 4, which is not within the restricted release zone. That is the source of the water that has recently been released.

The concerns are not a figment of the imagination of the Northern Land Council or Greenpeace. The concerns have been documented by the Office of the Supervising Scientist. Let us not forget that, this morning, the Office of the Supervising Scientist was quoted by the honourable minister as having no concerns about what had happened. The Office of the Supervising Scientist, through a memorandum written by Dr Riley and dated 6 December, expressed some concerns. Dr Riley said: 'It would appear to me that Ranger believe that, by declaring the area to be within the RRZ and directing run-off returns to the previously designated RRZ, they have effectively dealt with the problem'. He went on to say: 'How will Ranger demonstrate, as distinct from asserting, compliance with restriction on seepage from this new RRZ? The NLC would surely have a case to call for the inclusion of the RP4 in the RRZ'. That came from the Office of the Supervising Scientist and was a direct result of its concerns that there was seepage from the waste rock dump into RP4.

The recommended action of the Office of the Supervising Scientist was as follows. Dr Riley said: 'While run-off is said to be controlled, there appears to have been no steps taken to ensure that the seepage of water from this new RRZ does not leave the RRZ'. He foreshadowed the possible need to include RP4 and its catchment in the RRZ as a result of seepage from the waste rock stockpile. He went on to say: 'If RP4 is authorised to release by spillway, as Ranger has requested' - and as was done by syphoning - 'we will have an almost direct connection between material in an RRZ and the external environment'.

Mr Speaker, I know this is becoming rather technical but he is saying that, if RP4 is authorised to release in the manner which Ranger has requested, we have a very real prospect of water getting out of the restricted release zone into the external environment. I think there is a very real prospect that this has happened. Let us see how it happened. In December, the Ranger Uranium Mine advised that it would be seeking approval for releases from RP4 and RP2 during the coming wet season. At that meeting, the OSS recommended against that application and the NLC asked whether biological screening was to be used to determine standards for release of RP4 water. After those submissions had been made, the Department of Mines and Energy, whose decision it was at that stage, recommended a release. Why did the honourable minister go against the recommendation of the Office of the Supervising Scientist?

Following the meeting on 7 December, the Director of the Northern Land Council wrote to the Minister for Mines and Energy on 8 December and requested the removal of the low-grade ore from the waste rock dump. He asked that the minister act expeditiously on this matter. In other words, the Northern Land Council acted responsibly, recognised that there was a potential problem with the low-grade ore on the waste rock dump and asked that it be removed. On 8 December, the NLC director wrote also to the federal minister responsible for the environment in relation to applications for release of water from RP2 and RP4 during the 1988-89 wet season, and requested that approval not be given for the release of contaminated water from the mine site. That, of course, was an indirect reference to the problems that it foresaw.

On 18 January, the Northern Land Council's concerns were reinforced when Dr Riley's memorandum was leaked to the media. On 19 January, the Chairman of the Northern Land Council issued a press release which called for RP4 to be incorporated in the RRZ and called again for authorisation providing for the release of water from RP4 this wet season to be withdrawn. This week, we have seen the release of the water. In the light of that correspondence and Dr Riley's memorandum, what action did the Northern Territory Department of Mines and Energy take to test the very real concern that there was, in fact, leakage of material from the Restricted Release Zone into RP4? That is the key question which the minister did not address this morning and should have done so.

The eyes of the world are on the way that the Northern Territory Department of Mines and Energy administers this mining operation. In particular, the eyes of Australia are assessing the effectiveness and the efficiency of this operation. There is no doubt that the effectiveness and efficiency of the environmental standards imposed on this operation, particularly in ensuring that there is no controversy and no breach of the guidelines, is extremely important to establishing a favourable attitude towards freeing up the industry and allowing for its logical expansion, which many members on both sides of this House want. Each time an incident of this kind occurs, it makes the job that much harder because it raises quite

legitimate concerns. We are not talking particularly about concerns in the Northern Territory, but about concerns among the growing environmental movement in Sydney and Melbourne. We cannot afford to have these continuing controversies. We cannot afford to have a minister and a department who will not answer letters on these very important matters, who will not accept as genuine concerns the matters that have been raised by the Northern Land Council and the Office of the Supervising Scientist and who go against the direct recommendations of the Office of the Supervising Scientist.

Even at this late stage, I would like the minister to address the concerns expressed in the memorandum from the Office of the Supervising Scientist and the letter from the Northern Land Council. I want him to put some mechanisms in place within his department to ensure that those concerns are properly examined so that people in the Northern Territory and in the rest of Australia can have full confidence that the Department of Mines and Energy in the Northern Territory is administering its responsibilities in a serious manner. There has to be some doubt about that in the light of the events that have occurred over the last few days.

There is no doubt that those serious concerns, that I have talked about tonight and that have been raised by those organisations, have been glossed over. Whether those concerns will prove to be relevant or not in the end no one knows because they have not been checked effectively. That is the point of this exercise. It is not simply a matter of the minister using his judgment on these matter. The tests must be done. This matter is very sensitive both environmentally and politically and I urge the honourable minister to address the concerns expressed by the Northern Land Council as a matter of urgency and to make a full public report on them.

Mr PERRON (Chief Minister): Mr Speaker, I rise in the adjournment debate tonight to pay tribute to a great Territorian. Although it is against Aboriginal customary law to name publicly those recently dead, I believe that even his own family would understand that it would be inappropriate for me not to mention the name Nandjiwarra Amagula MBE, JP, SM in this place this evening.

It was my sad duty to attend the funeral of this great man at Groote Eylandt last Thursday. I was only 1 of over 1000 people who attended that funeral. Like the man himself, the last rites were a unique mixture of ancient Aboriginal custom and Christian belief. This man bridged 2 cultures, respected both and, to an extent, dominated both. A man steeped in his Aboriginal traditions, a keeper of customary law, he was equally at home leading a dance troupe through North America or sharing the silver screen with veteran actor Richard Chamberlain in the motion picture, 'The Last Wave'. While I had met the man fleetingly myself, unfortunately I could not claim to know him well. As I said at his funeral on Thursday, I feel that I am the poorer for that.

Nandjiwarra Amagula was born in the mid-1920s near the Emerald River on Groote Eylandt, the son of Tamondu, himself a patriarch of the island's society at the time. He lived a traditional lifestyle for his first 15 years before attending the Church Missionary Society's school at Emerald River. Early in his life, he recognised that the white men were on his island to stay and that, therefore, it was in his interest and in the interests of his people to understand their values, their skills and their culture. He trained as a carpenter and driver, eventually supervised the building gang at the mission and generally outfitted himself with the skills that he would need later in life to negotiate successfully with governments and business interests on behalf of his people.

He was prominent in the formation of the first Aboriginal community council, at Angurugu, and convinced Groote Eylandters of the value of different clans living and working together to make the most of the new society in which they found themselves. Like a European nobleman of medieval times, he settled disputes between clans and individuals, arranged marriages and did everything in his considerable power to break down the conflict between his own people and Aboriginals on the adjacent mainland.

By the time BHP started to develop the island's manganese deposits in the early 1960s, this man was recognised as a natural leader of the various communities involved. The traditional Aboriginal and former mission carpenter negotiated with the board of Australia's biggest corporation for a fair deal for the islanders, for training and job opportunities for the young men and for the protection of sites of significance, long before the need for these things became fashionable or even recognised by the world of commerce.

For 6 years until 1974, he served as an assistant patrol officer for the Northern Territory Administration whilst maintaining his tribal affiliations, his leading role in the community council and his business relationship with BHP on behalf of his people. In 1970, Nandjiwarra's services to his people were recognised when he became the first tribal Aboriginal to be made a Member of the British Empire. Having been part of an early royalty agreement on behalf of Aboriginals with a mining company, he naturally became a committee member of the Aboriginal Benefits Trust Fund. Being a lawgiver in his own right, he was appointed as a special magistrate on Groote Eylandt, sharing the bench with visiting magistrates to provide an invaluable tribal perspective in cases involving his people.

The greatest commitment of this man's life was to the strengthening of Aboriginal law and culture and maintaining the integrity of the traditions of his people and other Aborigines with whom they came in contact. Accordingly, he worked closely with the Aboriginal Cultural Foundation from its formation in 1970 and served as the foundation's president from 1977. Through the Aboriginal Cultural Foundation, he was instrumental in organising the biennial inter-tribal festivals under Aboriginal control. These spectacular celebrations of Aboriginal culture involved people from as far away as Cape York, the Kimberleys and central Australia as well as Groote Eylandt and Arnhem Land. A film of one of these festivals on Groote Eylandt won the documentary award at the 1984 New York Film Festival and, in the late 1970s, he developed a film concept with producer Peter Weir which contrasted the tribal man with the aimlessness of urban Aborigines who had lost their traditions. He then went before the cameras to play the pivotal role of a mysterious tribal presence in the film 'The Last Wave'. Typically, he did not do it because he wanted to be a movie star. He wanted to broaden the influence of the Aboriginal Cultural Foundation and to combat the negative media image created by some urban Aborigines who appointed themselves spokesmen for all Aborigines on all matters and ignored the role of traditional people and their way of doing things.

A strong-minded man himself, he resisted unnecessary intrusions into the way of life of his people on a day-to-day basis as well as into their culture and traditions. He had a healthy distrust for much of the Aboriginal industry which has developed in the Territory over the past decade or so. As an Aborigine who had been successfully making his own arrangements with the white man's way for 50 years, he had little time for the undergraduate approach of the new breed of black and white political activists known as the 'Gee Whiz School' who attempt to build empires on the aspirations of traditional Aboriginal people. For this reason, Nandjiwarra Amagula dedicated the latter

years of his life to the establishment of an independent land council in south-east Arnhem Land under the control of local Aborigines and representing their interests and their interests alone. I believe that work will be carried on, in his name, by like-minded members of his immediate family and his clan.

Although, as I said at the outset, I feel the poorer for not having known this man better in his lifetime, I am proud to be able to incorporate some achievements of that life in the Parliamentary Record of the Territory's Legislative Assembly. There is no doubt that we have lost a great man who gave much during his life to increase understanding between black and white. Nandjiwarra Amagula will not quickly be forgotten by either.

Mr Speaker, I turn now to an entirely different subject. I would not normally put such comments on record after those which I have just made but I will do so now because it is the last day of the sittings. The Leader of the Opposition went on talkback radio last week and received a number of interesting calls. A couple of them were probably Dorothy Dixers but that is understandable. Statehood was one of the main topics of discussion and the Leader of the Opposition's remarks gave a good example of how confusion is created in the community. Responding to one question about how we can afford statehood, the Leader of the Opposition said that the answer lay in population size and the economic state of the Territory and that, by the year 2001, we would have enough people to bear the burden. Of course, the year 2001 had been mentioned a week earlier by Senator Collins.

This was a completely new angle to me. It seemed that the Leader of the Opposition was saying that our current population of 155 800 people was not sufficient to justify statehood whilst the projected population of 225 000 in 2001 would be large enough to justify it. Will 70 000 people make that much difference? The Leader of the Opposition gave that as one of the essential reasons for choosing the target date of 2001. That seems to make some sense if one accepts the theory that statehood is relative to population. However, in response to the next caller, the Leader of the Opposition said: 'We are not saying hold off until 2001. If all goes well and we do it earlier, the better off we will all be'. No wonder there is confusion in the community in terms of what politicians really think about statehood and when we should achieve it!

He was asked a question about Aboriginal land rights. The caller asked why the public are excluded from so much of the Northern Territory coastline, including the beach. Obviously the caller was referring to that area of our coastline which is adjacent to Aboriginal land. The Leader of the Opposition said: 'On that beach question, you have got me there on a technicality. It is an interesting point and I would like to explore it further with you'. He asked the gentleman to ring his office at some later stage so that he could discuss the matter further. He was claiming complete ignorance and total surprise that people are not allowed to land on a beach adjacent to Aboriginal land. Here we have the Leader of the ALP in the Northern Territory, who has been a politician for 7 years and leads a party whose ranks include 5 MLAs who represent electorates with largely Aboriginal populations and which contain extensive Aboriginal land holdings, claiming ignorance of the fact that the title to Aboriginal land stretches down to the low-water mark. I find that amazing and it is disappointing that a man in his position did not have a better answer for an inquirer on talkback radio.

Mr COLLINS (Sadadeen): Mr Speaker, the name Alice O'Keefe would mean quite a lot to you and other members from the Centre. Other honourable

members may not know the name. Alice O'Keefe is a lady who is mentally impaired. She gets around Alice Springs a fair bit and she is a very sad case. She has a penchant for getting rid of all her clothes and wandering around the streets, causing some alarm to many people. The police have to pick up this unfortunate woman quite frequently and take her into custody for a time. She is often ill-treated. On one occasion, I found that Alice had made her way into the front room of my home. She was bleeding from the head where she had either hurt herself or been hurt by someone. Nothing seems to have been able to be done for Alice. She needs to be in care. In many ways, she is fairly harmless but we do really need to do something for the Alices of this world. I know it is a difficult issue. There are not many votes in it, but I am sure that is not the only motivation which people have.

Recently, Alice has been making something of a nuisance of herself in a particular area. There is a certain roadhouse, Mr Speaker, which I will not mention although the proprietor is well-known to you and I. I have been told that Alice has been getting up to a few tricks, the latest of which is to get into the cars of people who go into the roadhouse. She has been locking herself inside cars, defecating in them and generally doing things which inevitably upset people. I do not know what will happen about it but it certainly is a problem. I believe that Alice needs to be cared for.

Mr Speaker, I have just received your note which states that she is now in the Hetty Perkins Home. I know that Alice is fairly mobile and I do not know when you received your information that that is where she is. The information about the incidents at the roadhouse came to me early this week, and it is understandable that those incidents would be rather upsetting to the people concerned. I urge the government to look into the situations of people like Alice and to find ways and means of helping them and protecting them from the danger which they are in. They are an embarrassment in many ways. There is a tremendous amount of sympathy for the lady in the town. She does need help. She needs help from the government in the form of a solution which offers her some freedom, together with care and protection from the hurt that she is likely to encounter.

The second matter I want to raise tonight relates to the sale of tobacco and tobacco products. More than 2 years ago, I was a member of a government backbench committee. We looked a mass of South Australian legislation which related to the Territory and disposed of quite a bit of it because it was totally irrelevant. Some of it related to the sale of tobacco and tobacco products to juveniles. We worked on that matter for at least a year and made recommendations to the Minister for Health and Community Services. We put forward our own ideas and ideas which we had gleaned from the community, from people who were concerned about minors being able to walk into shops and purchase cigarettes and tobacco. We did not get anywhere in that year and 2 more years have now elapsed, during which time nothing has happened. It is time that the minister and the government took action on this issue.

As the Four Corners program showed last night, young people are supporting the tobacco industry. Older people are starting to wise up and the number of smokers in their ranks is decreasing. We need to do something about young smokers. People are concerned that minors can purchase cigarettes willy-nilly and smoke them. The committee made some sensible suggestions which were in accord with the wishes of many groups in the community including schools, school councils and parents. We had quite a strong response and yet nothing has happened. I urge the government to get off its backside and address this problem, and to come up with some solutions to show that it is fair dinkum and interested in the health of our young people.

Mr LANHUPUY (Arnhem): Mr Speaker, I would like to raise a few issues in the adjournment debate tonight. As did the honourable Chief Minister, I had the opportunity of attending Nandjiwarra Amagula's funeral on Groote Eylandt last week. I would like to pay tribute to him and to extend to his immediate family not only my own sympathies but those of many people in the Northern Territory who knew him as a very strong leader who represented Aboriginal interests in many ways, including dealings with governments and with mining companies.

I do not intend to go into the details of how Mr Nandjiwarra Amagula spent his life. The Chief Minister has already done that. However, I would like to take some time to pay tribute to a man whom I came to know very closely during my time as the member for Arnhem. I often enjoyed discussing matters of importance with him and sharing the experiences which he had gone through. I came to know him during the last 10 to 15 years. He was a man of very great ability. He was able to talk with all sorts of people and to counsel them on all sorts of matters, whatever the problem was. That is one of the reasons why you would have seen a great number of people present at his ceremony. I was there, along with the Chief Minister of the Northern Territory, the Minister for Labour, Administrative Services and Local Government, Hon Terry McCarthy, the Leader of the Opposition, Mr Terry Smith and, of course, our Senator in Canberra, Senator Bob Collins who, along with the Chief Minister, spoke of the contribution that this man had made to the development of the Northern Territory.

Mr Speaker, I can only echo those words about his contribution to the Northern Territory, especially in the field of Aboriginal affairs. As the Chief Minister said, it was in the early 1960s that Mr Nandjiwarra Amagula started working at Umbakumba as a field officer with the then Native Affairs Department. He grew to accept and to achieve in both worlds while he was living. I pay great tribute to the man. Certainly, he was an inspiration to myself through my knowing him and seeing him work. He was able to sit down and judge on a very intricate matter which might relate to a combination of Balanda and Aboriginal law. It was a great inspiration to me. Especially, I came to know him very well during the time when we worked together on the Aboriginal Task Force on Groote Eylandt. He had some very strong views and sometimes we did not agree on matters which we were discussing but, as I said at his funeral, at least we both agreed to disagree on matters and for that I will always remember the old man and respect him. I extend my sympathy to his family.

The other subject I would like to talk about tonight is the discussion concerning the Devil's Pebbles. I raise the subject tonight because it has attracted considerable attention in the media recently due to the mining activity on this site. Last week, during question time, there was some discussion and debate as to whether, in fact, the Devil's Pebbles constitute a recognised sacred site. I would like to set that straight tonight, and deal with the history of the Devil's Pebbles and indicate how, since 1981, the Northern Territory government has clearly acknowledged that site as sacred.

Early in 1980, the Tennant Creek Progress Association received a large granite boulder from the Devil's Pebbles site and placed it in the township area. In June 1980, the Central Land Council made representations to the Tennant Creek corporation to have that boulder removed. On 5 March 1981, the Aboriginal Sacred Sites Protection Authority met with the Tennant Creek Town Council to discuss the return of the boulder as requested by the Aboriginal people who had asked that it be transferred back to the original site. The boulder had been the subject of vandalism, and an inquiry into this, whilst it was in the town.

Unfortunately, the return of the boulder was characterised by adverse reactions from the white community in Tennant Creek and a particular group threatened to blow it up. That was a matter of great concern to the traditional owners. They said it was to be returned. At the time, the traditional owners did not wish to deny Europeans access to the area. However, they wanted the boulder protected. The Director of the Aboriginal Sacred Sites Protection Authority approached the government seeking ways in which the boulder could be protected without its having to resort to lodging an application for its protection. Following successful but lengthy negotiations with the corporation of Tennant Creek, Peko Mines Ltd and others, the boulder was successfully returned to its original site.

The significance of the boulder to the Warumungu people is that they consider the Devil's Pebbles to be a sacred site associated with a mythical, ancestral being. The stones, including the one that had been removed and placed in Tennant Creek, are sacred objects believed to be from the Dreamtime. The Warumungu people were concerned about the removal of the boulder and believed its removal had been, and would continue to be, associated with illness and injury to those people that were closely related to the Devil's Pebbles. All of the action at the time presumed the existence of a sacred site. The return of the rock was a clear recognition of the concerns expressed by the Warumungu people in relation to their health. The only reason that an application for the site to be registered as a sacred site was not lodged was because the Warumungu people did not wish to deny people access to the Devil's Pebbles area.

Allegations have been made that the Aboriginal Sacred Sites Protection Authority has become involved in the area only since mining has become an issue. The history of the authority's involvement with the site dates back a long way, in fact, 9 years. The site is of particular significance to women, and I am in no position to talk about that. Currently, the custodians have stated clearly that they are opposed to any mining of that site. They have demonstrated this by their decision and action to remain at the site until the mining company is no longer there. With the limited knowledge that I have of the area, and from what I have read, those people always have referred, and always will refer, to the Devil's Pebbles as a site of very great significance to them and, as legislators, we should try to protect their interests. I can assure you, Mr Speaker, that members on this side of the House will certainly be pursuing their interests further.

Mr BELL (MacDonnell): Mr Speaker, I want to make some comments today about the Palmerston community health service. Mr Speaker, you and honourable members will recall that the opposition has been pressing the government on this particular issue for some time. I attended a meeting at Palmerston to hear residents of Palmerston talk about the difficulties that have been experienced with the health service and with obtaining the provision of a decent community health service for people living there. Apart from anything else, I was very impressed with the representations people made to me, and I was very concerned to hear of the problems that they were experiencing. As I pointed out in question time yesterday, in the lead-up to the 1987 election, the CLP government made a promise - and I will quote from its platform - 'to establish a private hospital annexe in Palmerston with a 24-hour medical service'. That has not come to be, and that bothers me considerably. I do not accept the explanation that the minister gave in question time yesterday, and I am seriously concerned that a reliable, 24-hour service has not been provided.

In a letter directed to the Mayor of Palmerston in January this year, the honourable minister made a number of statements about the medical service that would be provided. He said:

The existing private general practitioners at Palmerston provide a service on Wednesdays and Saturday mornings. An out-of-hours service will operate from the Community Health Centre from February, with doctors employed by the Department of Health and Community Services.

He went on to say:

A medical clinic, with a receptionist, will operate 6 pm till 10 pm weekdays, and 8 am to 12 noon Sundays. Between 10 pm and 8 am each day, and between 12 noon and 10 pm on Saturdays and Sundays, there will be a medical officer on the premises for minor emergencies.

Mr Speaker, I think it should be obvious to you and to everybody in this Assembly, that if you are crook in Palmerston, you had better have the timetable written on the back of your hand.

Mr Dondas: Go and get crook out at Mataranka or somewhere like that.

Mr BELL: I will pick up the interjection from the member for Casuarina. If he has had representations from Mataranka about the medical service there, I am quite happy to go down there and listen to what people have to say. I am quite happy to go to Mataranka if people are complaining about the medical service there. At the moment, I am trying to solve the problems of the people of Palmerston. It is a shame the member for Casuarina does not encourage the Minister for Health and Community Services to do likewise.

The fact is that that extraordinary timetable of availability of services provided in different places around Palmerston does not accord with the demand that exists there and the concern that has been expressed by people in Palmerston about the availability of services. Mr Speaker, you will recall that Palmerston is an area that is not well-served with transport. The government has had to be pushed into providing decent services in this satellite town. The opposition has worked hard in this regard and will continue to work hard until the people there have decent medical services. Over the nearly 11 years now since self-government, CLP governments have run down various services, and none more so than the community health centres. Honourable members will recall the concern that was expressed over the closure of community health centres elsewhere. I urge the minister to provide a decent service, in line with the CLP's election commitment, and I assure him that the Labor opposition will not rest until a decent service is provided for the people of Palmerston.

To turn to another issue, let me talk about Imparja Television. I am advised, as everybody has been advised through a press release dated 17 February, that there is a variation of the Imparja Television official service area. I would like to draw to honourable members' attention that, to the central footprint that was originally part of the Imparja service area has been added a considerable area extending into western NSW and western Victoria and an area in what looks like the highlands of north-eastern Victoria.

I want to take the opportunity to point out to honourable members the acceptance that Imparja has around the Territory. It contrasts sadly with some of the doomsaying we heard about Imparja from government benches before it was created and before its licence was provided. The absurd fears that

were encouraged by some CLP members of the Assembly have proved to be entirely groundless. As a commercial television station - and I think government members would now agree - Imparja has done an excellent job in providing a service where such a service had not been provided before.

Mr Perron: I would hardly call it commercial.

Mr BELL: Mr Speaker, I will pick up the interjection from the Chief Minister. I am sure he has been studying the cash flow projections and comparing them with the way Imparja Television is servicing the public capital invested in it. I do not know whether that is actually happening or not but I am quite satisfied that, if it were not, the Chief Minister would be screaming it from the rooftops.

I think that every member of this Assembly should be proud of the work that Imparja is doing. It provides an excellent service. I am not a great television watcher myself, but I do talk to many people and the feeling around the traps is that Imparja is doing a very good job and it is to be congratulated for its efforts. Obviously, there is a feeling that, with the extension of the services, it is regarded as providing a quality service. I want to take this opportunity to pass on my congratulations to the station's manager, Dion Weston, and to the many people who have worked to provide that service. I hope they go on from strength to strength.

Mr McCARTHY (Victoria River): Mr Speaker, I rise tonight to speak on a subject that I intended to speak on at the last sittings of this Assembly when it was raised by the Chief Minister following his visit to East Timor. I did not have the opportunity to speak at that time and the Chief Minister's statement has since been removed from the Notice Paper. I want to place on record my own experiences of East Timor and my ability to empathise with the views put forward by the Chief Minister.

I first became associated with East Timor in 1970, when I visited the island and set up base in Baucau on the central north coast. From there, I travelled over quite an extensive area of the island. Over subsequent years, up until 1975, I visited basically every centre in East Timor. I travelled to the east through Laga and Lospalos and Tutuala; south from there into Venilale and Viqueque; to the west through Manatutu, Dili and Liquisa; up through the mountains to Ermeira and Maubisi; and across again to the south coast at that end of the island at Same which is a very attractive area. My experience over those few years was of a country that was totally undeveloped. It had been ruled for approximately 450 years by the Portuguese. In some areas, it had some beautiful buildings and some very productive coffee plantations and other farming areas. However, none of those more productive areas or the beautiful houses really belonged to the people. They were very much in the possession of the Portuguese landlords of the time.

If one visited the marketplaces in those days, there was very little available in the markets. The subsistence farmers exchanged the produce from their farms in the marketplaces in the bigger towns. It was almost impossible to obtain medicines. I had need to see a doctor in Baucau in the early 1970s and it was difficult to obtain any treatment at all. It was absolutely impossible to buy medicines and, over the time that I was visiting East Timor, I regularly sent medicines to friends in East Timor. In particular, the old chief at Tutuala suffered from Parkinson's disease and could not obtain medicines in East Timor. I sent medicines to him from here.

In 1986, I had the opportunity to visit East Timor again with the member for Barkly and a party of people from the Territory, including a number of journalists. Whilst we visited only Dili and Baucau, the changes that I saw in those places were enormous. Of course, we saw other places from the air and the changes generally were quite remarkable. Dili itself still showed some signs of neglect. In particular, the bitumen roads had suffered somewhat over a few years. However, extensive bitumen roads had been built from Dili through Manatutu to Baucau. The streets of Baucau were sealed and there was extensive roadworks to the west. The housing in Baucau and Dili had increased enormously. Fairly low cost housing had been built and many people were living around those towns in housing that had not existed in 1975. I had moved out of Baucau about 3 weeks before Fretilin took over. As honourable members are aware, Fretilin took over for a very short time in East Timor.

The schools had improved out of all recognition. Not only had the schools improved, but the children in the schools were well dressed and obviously well catered for in the system. I visited the hospital at Dili and the hospital at Baucau. Both are new hospitals which had not existed in 1975. They had very good facilities. Of course, the problems that they faced in overcoming years of neglect were enormous, but they were catering to the people very successfully. Many young doctors had come from Bali. I was talking to some of the young doctors who said that they had come for 2 years and were proposing to move back to Bali following their 2-year stint in East Timor. The medical services and education had improved enormously.

Housing had improved enormously, but the markets were the places that really surprised me. In the marketplaces, a range of foodstuffs and medicines was available that was not available in 1975. Transport had improved. Buses moved regularly from town to town. A service had existed previously over the rough roads, but only in the form of trucks with seating. There are still some of those, but there are now buses on the roads.

East Timor is a beautiful country from the magnificent mountain ranges in the centre. Rame Lau is one which is just to the south of Baucau. It has magnificent mountains up to about 10 000 ft. Of course, when you got up into those ranges, even in the middle of summer, at Christmas time, there was a chill in the air. It is quite remarkable to think that that island is only a short distance to our north. It is a beautiful place and, as the Chief Minister said, the purpose of his visit was to re-open it to the people who moved over to Australia after the problems there in the mid-1970s.

I met each of the boats that arrived in Darwin, following the troubles there. I was responsible for keeping a very large number of Aboriginal people in Darwin at that time, directly after the cyclone. We had very little housing and I was under enormous pressure, from the then Administrator and the people who were responsible for looking after Darwin in 1975, to have them sent south. The Department of Immigration was demanding that they be sent but, on taking legal advice, I found that it had no power to send them south. I was able to keep a number of families comprising some 60 or 70 people in Darwin who wanted to stay here, but who were told they would have to go to one of the places that were set aside for them in Sydney, Melbourne or Adelaide. I have maintained a very strong link with those people over the years. For many years, while I was still living in Darwin, they visited me on a regular basis at Christmas time. I was embarrassed by the gifts that they brought in recognition of the fact that we had been able to keep them here.

Listening to the Chief Minister's speech, I have no doubt at all that the progress in East Timor over the last few years, since I last saw it in 1986,

has continued at a great pace. Some of the roads that have been mentioned had not been finished at that time but they were under construction. Much of the work that has been done there has been quite phenomenal in such a short period of time. Quite clearly, the Indonesian government has put a great deal of money in to bring it up to a reasonable standard. It was left behind. It is no longer a backwater. It will be reopened. When I recall what it was like in 1975 and beyond, I am of the view that, in time, the people of East Timor will come to believe that the Indonesian presence on their island has been to its benefit. In fact, I think many of them think that now. In fact, most of them would probably accept that they are far better off now than they have ever been in the past.

I am hopeful myself of being able to visit East Timor again in the not-too-distant future because I still have many friends there. I have many friends here who want to return for a visit, and I will be looking forward to taking the first opportunity I can find to see some of the things that have happened in the period since I was last there.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, the Minister for Mines and Energy made a passing remark yesterday which prompted me to make further inquiries on the subject. It was coincidental that the honourable minister responsible for the Racing, Gaming and Liquor Commission made a remark in his statement today which was on the same subject. I am referring to a government-sponsored freight subsidy on the importation of bloodstock into the Northern Territory.

The Minister for Mines and Energy commented adversely on - and these are my words - the agrarian socialistic views of people engaged in primary industry as compared to those engaged in the mining industry. It was quite interesting that the honourable minister in charge of racing and gaming presented a report to this House today advocating that consideration be given to a freight subsidy being extended to encourage the importation of racing horses into the Northern Territory.

Some years ago, there was a scheme in place which was called the 'Herd Bull Freight Subsidy Scheme' or the 'Herd Bull Incentive Scheme' and that was to encourage people, if they were importing stock, to bring to the Northern Territory bulls of a reasonable standard in order to increase the level of performance in their cattle herds. This scheme operated for several years and many stations took advantage of it. It was very well-accepted and some 20 to 40 stations took advantage of the scheme. It operated pretty simply. A subsidy of \$100 was extended towards the freight costs for a bull if it cost between \$800 and \$1500 and a bull costing over \$1500 attracted a subsidy of \$200 towards the freight. This scheme was withdrawn from operation last year, but some funds were left which covered the applications made by the few applicants.

I rang up a senior officer in the Department of Primary Production and Fisheries for some information and he was very helpful. He said that the industry as well as the department was now considering a similar scheme or the implementation of the same scheme once again. I rang a representative of the Northern Territory Cattlemen's Association. He reiterated what the officer from the Department of Primary Industry and Fisheries had told me - that they are looking at it. It is a pretty simple scheme and it would help the industry, especially with the depredations it has suffered as a result of the shoot-outs carried out under BTEC. I expect that the stock coming into the Territory would have been inspected by a government veterinary inspector in the state of origin. It is normal practice for health certificates to

accompany any animal imported into the Northern Territory and I would expect that bulls would be required to have had a fertility test to ascertain whether they would come up to scratch when they were needed.

I believe that an extension of this scheme could be considered, and that it would be advantageous to other sections of primary industry. I have to express an interest here. As all honourable members know, because I have probably bored them to tears on the subject, I keep goats. I will be putting a suggestion forward to the minister and the department that consideration be given to the operation of a similar scheme for the interstate purchase of bloodstock of the caprine nature and also of the porcine nature. Many people in the Northern Territory keep pigs and I believe that they too could be helped by this scheme. Whilst the price of bucks and boars may be lower than the price of bulls, goats and pigs have to be airfreighted whereas bulls usually come by road freight. As a result, the freight component of the final cost of the animal is much greater in the case of goats and pigs.

I do not believe that the scheme should be extended willy-nilly to all sorts of animals which are imported into the Northern Territory. The freight subsidy for cattle would apply to certain select breeds only and I believe the same thing should apply in the case of goats. It would be sufficient if it applied to the 4 main breeds. In the case of pigs, it should apply only to the breeds that are most popular here - the landrace and the large white pigs - and other breeds, such as Berkshires and Tamworths, should not be considered at the moment.

As an example of freight costs, I had occasion to bring 3 partly-grown goats into the Northern Territory last July. I made verbal arrangements with an airline company on the understanding that the animals would be transported at lower costs than those which would normally apply. Unfortunately, the airline company did not keep to the terms of the verbal agreement and I ended up paying full tote odds which amounted to more than \$1000 for 2 of the goats. Whilst that airline did not come up to scratch, I have nothing but praise for Australian Airlines. I have travelled on its aircraft and, since the occasion to which I have referred, have used it to transport dogs, poultry and goats. It has strict rules for carrying animals and does the job well. It is doing its bit towards the development of the Northern Territory by encouraging primary industry.

People engage in primary industry because they like it as a way of life or because it interests them. They do not set out looking for subsidies. I can speak for myself and other people in that respect. However, if the government were to consider the introduction of such a scheme, it could make a very valuable contribution. Interest in the goat industry is burgeoning and there are great opportunities in terms of the export of bloodstock to countries to our north. Boars are very expensive to import because they require airfreighting. The cost of importing a young boar is about \$500 and the cost of importing an adult boar would be between \$2000 and \$3000, excluding the considerable cost of freight. The pig industry has not really got off the ground here because the feed is expensive, even feed grown in the Northern Territory. Such a scheme for bulls, bucks and boars - which might be called the 3B scheme - could be worth considering. It would not cost the government a great deal of money, but it might provide that necessary modicum of encouragement for people to import good stock to the betterment of the fancy in the Northern Territory.

Mr FINCH (Leanyer): Mr Speaker, I rise again to speak about a subject which is a great favourite of mine, and that is the Senior Citizens of the

Northern Territory, that group in the community that always cops the rough end of the stick.

The recent West Australian elections were notable for a number of reasons. The most notable event was, of course, the return of the seriously discredited Dowding Labor government, complete with the odorous carcass of WA Inc hanging around its neck. Then, of course, there was Prime Minister Hawke's remarkable promise on reduced interest rates. This particular statement rates with the Prime Minister's promise to do away with youth homelessness in Australia by 1990 as one of the great political fallacies of the past 5 years. Clearly, he had a mind-fix on this upcoming swing through Asia at the time because the statement simply bore no relation to the harsh realities facing tens of thousands of young first-home buyers across Australia.

Then there was Democrat Leader Senator Janine Haines' contribution to the election, which must have left the party faithful in the west ruefully shaking their heads. In what will be remembered as the clanger of the election, the less-than-perceptive Senator Haines branded as a bunch of 'geriatric fascists' aged pensioners who were complaining about their lot in life. While Senator Haines' comments may have helped galvanise the pensioner forces, or Grey Power as they became known electorally, it is doubtful that the 'geriatric fascists' jibe had much to do with the performance of the fledgling party at the ballot box.

Grey Power out-pollled the Democrats in Western Australia, winning about 10% of the primary vote, because pensioners had decided they had suffered enough. While Grey Power's performance continues the recent tradition of good performances by minor parties in state polls, the result also says much about the increasing disquiet amongst the growing ranks of old-age pensioners. And it should not be forgotten that pensions, or the lack of them, is a federal, not a state issue. Of course, the fall-out from the Grey Power explosion in the west will be felt throughout Australia for years to come. Pensioner power is here to stay.

It is worth looking into the reasons behind Grey Power's performance in Western Australia, and there is no doubt all major parties, and none more so than the federal Labor Party, have directed teams of researchers to look into this latest phase in the rise of Grey Power. The reasons for the Grey Power phenomenon, however, are not too difficult to determine. Pensioners have always had it tough, but there have been few tougher times for Australia's aged than the last few years. Obviously, the federal Labor government now has a major credibility problem with aged pensioners. This is a direct result of the fact that, since Labor assumed the government benches in Canberra, aged pensioners have become confused by changes to pensions, frightened by the government and generally tired of being treated like second-class citizens.

Last week, it was interesting to hear the Prime Minister tell a group of Italian aged pensioners that they would have every reason to be happy with the Labor government before the next election. Apparently, the Prime Minister is planning another change of direction in a cynical bid to secure the pensioner vote. The signs are already there indicating that the government will attempt to bolster its relations with aged pensioners in the time available to it before the next election - this after more than 5 years of indifference to the needs of Australia's aged. There is no doubt that there is a growing perception amongst Australia's aged that they are not getting a fair go. Put quite simply, the fact is that, after a lifetime of contributing to the community, both through their efforts at the work place and contributions to the Australian Department of Taxation, they find themselves out in the cold

once they retire. They are not getting their slice of the cake, and they are not going to cop that any more - and why should they?

Aged pensioners appreciate that their growing ranks represent a powerful electoral force but, while pensioners understandably demand more, under the Labor government Australian productivity has continued to fall. This means, of course, that the country's ability to pay for its growing social welfare burden continues to be eroded. EPAC estimates that national productivity must rise by an average of 0.3% a year to meet the growing social welfare payments which will come from the greying of Australia but, per capita, productivity is declining at a rate of 0.2% and social security spending in Australia has increased from 4% to 8% of GDP in 20 years. Couple this with the fact that Australia's median age has increased from 23 to 31 in the past 70 years and that, by 2010, 40% of Australians will be over the age of 45 and the size of the problem becomes clearer. But, this can in no way be used by razor-wielding governments as an excuse for treating the aged pensioner like some sort of disposable consumer item that can be cast aside after outliving its usefulness.

The federal government's Expenditure Review Committee has continued to put well-balanced columns of figures before the needs of people, particularly older Australians, but the federal Labor government has shown a profound inability to come to grips with the changing demographic make-up of Australia. Instead of carefully considering a planned and compassionate response that will allow people to know exactly where they stand in so far as their relation with the Department of Social Security is concerned, the Hawke government's response has been a series of radical and ill-considered changes of policy that have left aged pensioners bewildered and bitter. It is imperative that the rules governing matters such as the qualification for old age pensions, means testing and the taxation of superannuation are not continually changed. Sadly, this has not been the case during the life of the Hawke government. People must plan for a minimum of 15 years for their retirement, which means any changes to the rules affecting pensions will have a profound impact on countless thousands of people.

For that reason, ad hoc changes aimed at saving the government relatively petty amounts of money are just not on. It is not fair to have people prepare for their retirement under one set of rules only to have their plans thrown into confusion because of ill-considered government decisions. It is an even dirtier trick when these rule changes are made retrospective, and that is exactly the type of action the Hawke government has taken. Mr Speaker, do you remember the outcry last September when the Hawke government decided to treat as income pensioners' capital growth on market-linked investments and then, just for good measure, made the decision retrospective? Worse still was the fact that the hard man of the Hawke government, Treasurer Keating, did not even have the courage to mention the planned tax on pensioners in his budget speech. More charitable members of the electorate may have forgiven the government for a mere oversight, but the whole exercise smacked of a cover-up. After all, this was the budget that was supposed to show that the federal government still cared for the downtrodden and that, despite all outward signs to the contrary, the Treasurer was really one of the good guys. However, it was simply not politically expedient to allow the fate of a few thousand aged pensioners to spoil the occasion.

The resultant outcry, and the fact that the fate of the Cain Labor government hung in the balance, caused an acute attack of political vertigo which saw Social Security Minister Brian Howe execute a very rapid climb down. The whole shabby exercise came about in a bid to save the federal government

the pathetic amount of \$16m. It would have caused past Labor leaders to turn in their graves. So much for the Labor Party's much-trumpeted sense of social justice.

And then, of course, there was the insensitive way in which the Hawke government went about imposing the pensioner assets test not long after it came to power. Once gain, the government underestimated the number of people it would anger and hurt. Pensioners have not forgotten. They were left too confused and frightened to forget. How can pensioners trust the federal government any more? What new way will it come up with to snatch away pensioners' savings? Pensioners deserve better than this, Mr Speaker. While the growing social security burden makes the pensions issue increasingly difficult, it is an issue which must be brought into perspective.

The first requirement is that pensioners must be ensured a stable legislative and administrative environment. It is only through the provision of such an environment that pensioners can face the future with any confidence. Given the increasing pressure on the pensions system, governments must work towards encouraging a higher level of contribution from individuals towards their own retirement. It would be ideal if we could reach a stage of universal coverage of the work force through voluntary retirement funds. However, this is unlikely to occur. Therefore, it is essential that a decent pension is ensured to those in genuine need.

It also seems that there has to be a greater emphasis placed on encouraging people to stay at work for longer than is currently happening. At present, we are wasting too much in the way of human resources by having people retire early. People can be encouraged to work longer by making available much larger, tax-free lump-sum payments to those who retire at age 65 and perhaps beyond. Interestingly, a recent Australian Bureau of Statistics survey of some 275 000 retirees found that only 2.25% retired at 65 because they wanted to. So, contrary to widely-held beliefs, it would seem that it would take very little to encourage people to stay on at work. Most people want to remain active. I believe this is because work brings with it a sense of self-worth and self-respect. This is something that is being denied to them under the Labor Party's approach to retirement, and I predict this indifference will cost Labor dearly at the polls in the coming federal election.

Motion agreed to; the Assembly adjourned.

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