

The Estimates Committee convened at 8.30 am.

Mr CHAIR: Good morning everyone, welcome to today's Estimates Committee hearing.

I acknowledge that we gather this morning on the land of the Larrakia people and pay my respects to their elders past, present and emerging.

MINISTER PAECH'S PORTFOLIOS

ATTORNEY-GENERAL AND MINISTER FOR JUSTICE

DEPARTMENT OF ATTORNEY-GENERAL AND JUSTICE

Mr CHAIR: I welcome you, Attorney-General and Minister for Justice, and invite you to introduce your accompanying officials. We will then go through an opening statement if you have one.

Mr PAECH: Good morning to the Estimates Committee. I too acknowledge that we meet on the land of the mighty Larrakia people and pay my respects to past, present and emerging leadership. I extend that acknowledgement and welcome of country to all First Nations people here today and the nations that are represented.

This morning I am joined by the Chief Executive Officer of the Department of the Attorney-General and Justice, Ms Gemma Lake; the Deputy CEO, Leonique Swart; Hannah Clee, the Acting Director Legal Policy; Brett Roach, Senior Director Strategic and Business Services and Chief Financial Officer; and Craig Smyth, Executive Director Legal Services.

Mr CHAIR: I invite you to make a brief opening statement. I will then call for questions relating to the statement. The committee will then consider whole-of-government budget and fiscal strategy-related questions before moving on to output-specific questions. I will then invite the shadow minister to ask their questions first followed by committee members. Finally, other participating members may ask their questions. The committee has agreed that other members may join in on a line of questioning pursued by the shadow minister rather than waiting to the end of the shadow minister's questioning on an output.

Attorney-General, do you wish to make an opening statement?

Mr PAECH: No, thank you. I am happy to go straight to the outputs.

Mr CHAIR: The committee will now consider the estimates of proposed expenditure contained in the Appropriation (2023–2024) Bill as they relate to the Department of the Attorney-General and Justice. I will ask for any questions related to whole-of-government fiscal strategy.

I remind members of the committee that relates to this department's part in wider government policy—for example, Langoulant fiscal repair.

Agency-Related Whole-of-Government Questions on Budget and Fiscal Strategy

Mr EDGINGTON: Welcome to all the staff of the Attorney-General's department. It is good to see you all here.

Recently, Commissioner Jamie Chalker agreed to a separation package with government. How much were the legal costs paid in relation to the court action brought by Jamie Chalker?

Mr CHAIR: Member for Barkly, I remind you politely that I am asking for questions related to this part of the whole-of-government strategy related to the budget.

Mr EDGINGTON: They do, Chair. They have been passed on by many different ministers.

Mr CHAIR: You will get the chance to ask the Attorney-General after we get through the agency whole-of-government questions.

Mr EDGINGTON: Is this not whole of government?

Mr CHAIR: No, it is agency whole of government.

Mr EDGINGTON: It has been passed on by every agency we raised this with.

Mr CHAIR: Name the policy and strategy this relates to. If you can ask the question related to the budget and that whole-of-government policy, you can ask the question. Otherwise, we will move on to the outputs where you can ask those.

Mrs LAMBLEY: What difference does it make?

Mr CHAIR: It is a difference of process, Member for Araluen. We have had this for the last fortnight; I intend to continue the same ruling the whole way through the Estimates Committee.

Mrs LAMBLEY: I believe you are just gagging debate on the whole Chalker business.

Mr CHAIR: If we get to the output, they can ask the question. Do you have any agency-related whole-of-government questions?

Mr MALEY: How could there not be a whole-of-government agency-related question in relation to costs? We all hear about budget, but we are talking specifically about costs. How could this not be related to agency costs incurred by the Attorney-General's department?

Mr CHAIR: It is the same ruling, Member for Nelson, we have had from day one, which relates to policies across government in relation to the budget. If you can name the policy Mr Chalker's separation ...

Mr MALEY: Is it not all-of-agency questions? Read out your statement again; it does not talk about that specifically.

Mr CHAIR: You will get the same advice from Legislative Assembly staff that I have in relation to this question. The advice is that it has to be related to a policy in relation to the budget. When we move on to the outputs, you can ask those questions.

Mrs LAMBLEY: Is it not up to the minister to decide?

Mr CHAIR: Ask the minister. If the minister would like to answer and he wants to go to the question ...

Mrs LAMBLEY: You have not allowed the minister to respond.

Mr PAECH: That matter can be dealt with in Output 1.1.

Mrs LAMBLEY: Which is in two minutes' time.

Mr CHAIR: That is right. Let us stick to the ruling we had from the start and get to your outputs.

Mr EDGINGTON: I think this is whole of government. The immediate review of bail laws was launched in March, 91 days ago. You said that this would not be made public. Why is it being kept secret?

Mr PAECH: That can be dealt with in Output 1.2, Legal Policy.

Mr MALEY: We are talking about policy and that goes to exactly what you said. This is an all-of-agency policy question. How can that ...

Mr CHAIR: Relate it to the budget, Member for Nelson. You can read the script I am following as well. If you do not have a copy, I am more than happy to get it for you. It is clear on what relates to whole-of-government agency questions in relation to fiscal strategy. That is exactly the wording. That is the advice we received from the Legislative Assembly. It is not me gagging debate, as you may like it to be; it is literally how this flows. When we get to the outputs, you can ask these questions. Within 30 seconds of you saying, 'I have no more questions. I want to get to Output Group 1.0', you can ask the first question that you had two seconds ago, Member for Barkly.

Mr EDGINGTON: That is the immediate review of bail laws. My understanding is that there is a separate review relating to knife crime. Can you advise where that is up to?

Mr PAECH: I am happy to respond to that in the appropriate output, which is Output 1.2, Legal Policy.

Mr MALEY: What is the Attorney-General scared of? Can I ask that question?

Mrs LAMBLEY: A lot.

Mr CHAIR: When you get to Output 1.2, you may ask the question, Member for Nelson.

Mr EDGINGTON: Let us go to the outputs.

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

OUTPUT GROUP 1.0 – LEGAL SERVICES **Output 1.1 – Solicitor for the Northern Territory**

Mr CHAIR: The committee will now consider Output Group 1.0, Legal Services, and Output 1.1, Solicitor for the Northern Territory.

Mr EDGINGTON: Getting back to the original question, how much were the legal costs paid in relation to the court action brought by Jamie Chalker?

Mr PAECH: In relation to those particular legal fees, legal fees are paid out of the client agency's budget. In the matter of former Police Commissioner Mr Chalker, the client agency was Chief Minister and Cabinet in which that process would—I acknowledge the laughter and the theatrics of the Estimates Committee ...

Mr MALEY: There is the first press release—too scared to answer the question.

Mr CHAIR: Member for Nelson, let the minister answer.

Mr PAECH: The Chief Minister has, in fact, taken that question on notice to provide the actual figures to the Estimates Committee. I highlight that SFNT directly liaises and communicates with the agency that is doing that work. In this instance that is Chief Minister and Cabinet. Those figures will be provided by the Chief Minister, as she has taken that on notice.

Mr CHAIR: That was your question from yesterday.

Mrs LAMBLEY: Yes, it was. But that is not how I recall the answer.

Yesterday it was indicated that the legal expenses involved with the Chalker case could have been charged to your portfolio. Are you sure? Is this absolutely clear? It has not come out of the Attorney-General budget or the Justice budget.

Mr PAECH: Yes, I am very confident that SFNT liaised directly with the agencies requesting the legal services in relation to the Chalker matter. That was the Department of the Chief Minister and Cabinet; therefore, those costs are being met by that agency. The Chief Minister, I note, taking that question on notice yesterday will be required to provide those figures back the Estimates Committee, as it is that agency that is responsible for those costs.

Mrs LAMBLEY: Were any costs involved with the Chalker case attributed to the DPP? Were there any costs at all associated with the Chalker case attributed to or paid for by the DPP?

Mr PAECH: No, there were no costs incurred to the DPP. This is a matter simply between SFNT and the Department of the Chief Minister and Cabinet.

Mr MALEY: Was your department involved in any way with the legal case brought by Jamie Chalker? Was there any work at all from your department in relation to that case?

Mr PAECH: It is important to highlight that the role of SFNT is to provide the support and the avenues for the relevant department. In this instance that relevant department is and was the Department of the Chief Minister and Cabinet. The only process the Department of the Attorney-General and Justice had was through SFNT providing that advice and that support.

Mr MALEY: What was the advice that you gave?

Mr PAECH: That was the advice of SFNT working through with it around the options that it had available and to seek the legal assistance.

Mr MALEY: What advice did you give that department?

Mr PAECH: That advice is confidential, but those costs will be reported back to the Estimates Committee, as they have been taken on notice by the Chief Minister.

Mr MALEY: Why is that confidential?

Mr PAECH: There are clauses in those negotiations and contracts that are confidential in nature. That is the terms of the deed.

Mr Chair, I have answered the question and note that a response will be provided to the Estimates Committee through the Department of the Chief Minister and Cabinet.

Mr EDGINGTON: Is SFNT not part of your department?

Mr PAECH: Yes, SFNT is part of my department, but the role of SFNT is to liaise directly with the agency needing that legal work. In this case, it is the Department of the Chief Minister and Cabinet and is the work that has occurred.

Mr EDGINGTON: This is the output that we are in at the moment. What was the cost incurred by SFNT to provide that advice to the department?

Mr PAECH: Those costs will be reflected. They will be disclosed by the relevant agency that commissioned that work to be undertaken.

Mr EDGINGTON: The costs were incurred by SFNT. Can you please tell us what the cost of that advice to that department was?

Mr PAECH: Those numbers will be reflected in the advice provided by the Department of the Chief Minister and Cabinet, as it is the client in this instance. It is its role to disclose those costs.

Mr MALEY: We are asking what your department's costs were. If you cannot answer, just say so. That is fine. We will move on if you do not know. That is what we are asking. What are your costs as the Solicitor-General? That is your department's costs, not your client's costs.

Mr PAECH: Those costs are the costs that we would usually pay our legal team. The costs that I have been asked about here today relating to the former Police Commissioner are costs that will be disclosed by the Department of the Chief Minister and Cabinet as the responsible agency.

Mr EDGINGTON: Can you confirm that SFNT had a role in settling the matter or was outside counsel engaged?

Mr PAECH: I am advised that it was both.

Mr MALEY: Can you please give us a cost for the outside counsel?

Mr PAECH: That would also be disclosed by the ...

Mr MALEY: I am asking your department because the Chief Minister's department will not have your costs. It will say they are your costs. We are giving you an opportunity right now to tell Territorians what your costs were in relation to engaging counsel for that case.

Mr PAECH: It may be worthwhile for me to ask the chief executive officer to provide the approach in which the agency outsources its legal work where required.

Ms LAKE: In a number of matters, including this one, SFNT provides advice. When outside counsel is required, we facilitate the engagement of that firm or the counsel required. The billing of those costs goes directly to the client agency. We do not see the invoices. They go directly to the client agency.

Mrs LAMBLEY: Does the payment of the invoices have to come back to your agency?

Ms LAKE: No, it does not. It goes directly to the client agency.

Mr EDGINGTON: Were there any additional fees or expert advice sought from third parties in settling that matter?

Ms LAKE: Yes, there were outsourced legal fees.

Mr EDGINGTON: Were there any additional fees relating to seeking expert advice in regard to resolving the matter?

Ms LAKE: Not that I am aware of. I am only aware of legal fees.

Mr MALEY: Who paid those legal fees?

Mr PAECH: That would be the Department of the Chief Minister and Cabinet. All associated legal costs with this matter were absorbed by and appear to be paid and covered by the relevant agency. As I highlighted, in this case, that is the Department of the Chief Minister and Cabinet. The Chief Minister took that on notice yesterday and will provide those figures back to the Estimates Committee.

Mrs LAMBLEY: I am not clear. The Solicitor for the Northern Territory provided advice. Who issued the invoice to the Department of the Chief Minister and Cabinet?

Mr PAECH: In this instance the Solicitor for the Northern Territory will work with the relevant agency. They will contract and do the legal services. It is then up to the relevant agency that has required that work to cover those costs. I am happy to ask the chief executive officer to respond and provide you with a greater response around that process.

Mrs LAMBLEY: I need to understand whether it was your department that issued the invoice for the work for the Solicitor for the Northern Territory. No, I am getting a head shake.

Mr PAECH: SFNT does not charge.

Mrs LAMBLEY: What was the invoice you were talking about before?

Mr PAECH: That is in response to the Member for Barkly's question. It was a combination of SFNT and an external legal team to work through that matter. The figures that will be provided back will incorporate those figures.

Mrs LAMBLEY: Who issued the invoice for the work that you just described—the Solicitor for the Northern Territory and this external agency?

Mr PAECH: It would be issued by the legal supplier in this case, which is the external legal firm. That would be the costs that would need to be met and covered by the Department of the Chief Minister and Cabinet.

Mrs LAMBLEY: Do you not know how much that invoice was?

Mr PAECH: No. In this instance when these matters arise, the relationship is directly with the agency not the Department of the Attorney-General and Justice.

Mrs LAMBLEY: Would you never see that invoice?

Mr PAECH: No.

Mrs LAMBLEY: The invoice in this case involving the advice in the Chalker case will be paid by the Department of the Chief Minister and Cabinet, completely separate from your agency?

Mr PAECH: Yes, that is correct.

Mrs LAMBLEY: The problem we have—obviously the public is trying to get its head around this—is that we have asked multiple questions on this subject over the last week and a bit of Estimates, and there seems to be a lot of handballing and lack of clarity within government of which agency is responsible for what. Is this

normal practice that one part of government does not know what the other part of government is doing? The Chief Minister had no idea whether her department was paying for the legal expenses of the Chalker case.

We heard last week that the Police minister was not sure whether the payout to Chalker was even coming out of her budget. This is highly unusual. Is it normal practice that one part of government does not know what the other part of government is doing, particularly in such a high-profile case that you know we will all be asking questions about? Or is this just a smokescreen and you do not really want us to know what is going on?

Mr PAECH: I note that the Chief Minister took it on notice yesterday regarding the response to the Department of the Chief Minister and Cabinet's legal costs that have been incurred, and those figures will be provided to the Estimates Committee.

The structure is standard practice that has been in operation across the Northern Territory for some time where it is up to the individual departments to cover legal costs outside of the scope of the Solicitor for the Northern Territory's office. Each agency across government would be required to foot the bill for the legal work that is outsourced. That has always happened and will continue to happen.

I am only able to provide the comment and context that is relevant to the Department of the Attorney-General and Justice. I acknowledge that there may be some concerns from Estimates members about those costs, and that figure will be provided by the Chief Minister. I do not see those costs because it is a direct relationship with the external legal service and the agency.

Mrs LAMBLEY: The information we received from government on the Chalker case, with respect to the costs and who pays what, is that either government cannot tell us anything or does not know. We have received no information or clarity on what has happened within the government agencies around the cost and responsibility for the Chalker case.

Mr PAECH: I will note and follow up. The Chief Minister has taken the question on notice about the costs. That will be provided to the Estimates Committee, making sure that we have the accurate costs for the legal work undertaken. I acknowledge that there has been a number of questions before the Estimates Committee to relevant ministers on their outputs and scope.

The SFNT provided some assistance that was not charged, as is standard practice. Outside counsel or legal services that were met during the course of the work relating Mr Chalker, the former Police Commissioner, have been invoiced to the Department of the Chief Minister and Cabinet. It is now up to it, through the notice that has been taken, to provide those figures.

Mr MALEY: I have gone through the transcript. Minister Worden was asked whether the department was paying the legal fees associated with it. She said, 'No, they are covered by SFNT, so you can ask the Attorney-General'. Mrs Lambley asked some questions about who is paying the costs. The Chief Minister's answer was, 'Mr Chair, I have made all the comments I can make on this matter'. I cannot see where she has taken it on notice. What question was that? Was that further down the line?

Mr CHAIR: It was taken on notice.

Mr PAECH: I will get the number for you.

Mrs LAMBLEY: Yes, it was taken on notice, finally.

Mr MALEY: How many staff hours did your department work on this case?

Mr PAECH: I do not have the operational information to hand to tell you how many hours were spent on that area. I am happy to take that question on notice.

Mr MALEY: Do you know how many of your department staff were tasked to work on the matter?

Mr PAECH: In the interests of providing you with the most accurate and accountable information, I will take that question on notice.

Mr MALEY: Do you not have that information here now?

Mr PAECH: I am happy to take it on notice to provide you with the most accurate and accountable information.

Mr MALEY: I am happy to take what you have in front of you.

Mr PAECH: I prefer to give you the most accurate information.

Question on Notice No 6.1

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

Mr MALEY: How many hours did your staff work on the Jamie Chalker legal case? How many staff from your department were dedicated to that case and how long were they tasked with that role?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Nelson has been allocated the number 6.1.

Mr CHAIR: In relation to the Chief Minister's question on notice on legal fees, the number was 5.5.

Mr EDINGTON: It appears there has been some involvement of your department with the Jamie Chalker case. What is the overall impact on the Attorney-General's budget due to the court action taken by Jamie Chalker?

Mr PAECH: Nil.

Mr EDINGTON: Was there no cost at all to your department?

Mr PAECH: No. I remind honourable members that through SFNT, we have a full team who is permanently employed in that role to provide support services and legal services to government agencies and departments.

Mr MALEY: Do you understand that the wages for those people working on tasks for this matter are costs associated with those legal proceedings? Do you accept that is a cost to your department?

Mr PAECH: I acknowledge we remunerate our hardworking team in SFNT, but it was achievable through the existing budget arrangements.

Mrs LAMBLEY: There is always an opportunity cost to these things. Whilst your team was working on the Chalker case, it was not doing other work it would normally do. How many hours were expended by your team working on the Chalker case?

Mr PAECH: I note that I have taken a question on notice about the hours.

Mr CHAIR: It was Question on Notice 6.1.

Mrs LAMBLEY: It was a good question.

Mr EDINGTON: How much was spent by the Department of the Attorney-General and Justice on the failed Colleen Gwynne prosecution, both in lawyer hours and in fees paid to experts or outside counsel?

Mr PAECH: I am very happy to respond to that, but I suggest that is for Output Group 4.0, which is the Director of Public Prosecutions.

Mr EDINGTON: Will the Children's Commissioner be returning to work following her exoneration on charges in the Supreme Court?

Mr PAECH: I am more than happy to respond in detail to that, but that is best served in the appropriate output.

Mr MALEY: Was there any advice given on Colleen Gwynne's case from the Solicitor for the Northern Territory? If there was, how much did it cost?

Mr PAECH: I am advised that through the prosecution, no.

Mr MALEY: What about the work leading up to it? Was there any work from the SFNT in relation to Colleen Gwynne's case; and, if so, how many hours were dedicated to that matter?

Mr PAECH: This matter is for the Northern Territory Police, which put forward those charges. I am advised that in relation to the DPP for the Solicitor for the Northern Territory, no.

Mr MALEY: For the SFNT, which is a department that you manage, no hours at all were worked by any staff from your department in relation to Colleen Gwynne's case. Is that what you are saying?

Mr PAECH: I am advised that there would have been some initial advice and that is in the public domain.

Mr MALEY: Can you expand on what you call 'initial advice'?

Mr PAECH: The initial advice that I am advised may have been in place would have been when the matter first came to light seeking the standing and the issues surrounding that.

Mr MALEY: Are you saying that the DPP did not contact your department at all about that matter other than the initial advice at the very beginning of that case, which is already out there as public knowledge?

Mr PAECH: I am happy to continue, but I feel it would be best resolved in Output Group 4.0, when the Director of Public Prosecutions is here and will be able to provide the information about the advice, information or contact it had with existing agencies through government.

Mr MALEY: Are you saying that you cannot tell us what contact your agency had with them? Can you not tell us what contact you had with them? Do we have to wait for them to tell us what contact they had with your department? Do you have no control over or do you not know what contact your own department has had with the DPP on this matter?

Mr PAECH: I am saying that it is relevant to the Director of Public Prosecutions and they are appearing today alongside me. We will be able to respond to your questions in that output.

Mr MALEY: The SFNT people are here now, so I am asking what work they had and what advice they gave. You are saying not to ask now but to ask later when the DPP is here, to go back. I am asking from the top-down, not bottom-up. Can you not tell us any information about that?

Mr PAECH: I have provided initial information to the Estimates Committee that initial advice had been sought. That has already been in the public domain in relation to this matter.

For a more detailed response, the Director of Public Prosecutions will be appearing today and can talk in detail about that matter and about other instances or events.

Mr MALEY: I just want to confirm ...

Mr CHAIR: Just one second. It is the minister's right and prerogative to defer to the output it is relevant to.

Mr MALEY: Can the minister not tell the committee what work the SFNT has done in relation to the Colleen Gwynne case?

Mr PAECH: I can, as I have stated. The SFNT may have and would have provided initial advice. This matter is best dealt with by me and the Director of Public Prosecutions for a more detailed response.

Mr EDGINGTON: Since the court case threw out the charges, what involvement has SFNT had in regard to the ongoing issue with Colleen Gwynne since the court case?

Mr PAECH: We will continue to seek advice from SFNT as needed as we work through the matter. I am happy to provide an in-depth response at Output 5.5, Children's Commissioner.

Mr EDGINGTON: I think we are talking about the Solicitor for the Northern Territory at the moment. We are in that output. Can you tell us how many hours the Solicitor for the Northern Territory has committed to the Colleen Gwynne case since the charges were thrown out of the Supreme Court?

Mr PAECH: I note that is not the original question asked. We will engage the SFNT as needed throughout this process that is currently being worked through.

Mr EDGINGTON: How many hours have been committed so far?

Mr PAECH: I need to take that question on notice. This is an evolving subject matter.

Question on Notice No 6.2

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: How many hours has the Solicitor for the Northern Territory incurred so far in regard to the Colleen Gwynne matter since the court case?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.2.

Mr MALEY: Did you have any involvement in the Colleen Gwynne case and the charges leading up to the court case at all? Was it all DPP? Did your department have any other involvement in that matter?

Mr PAECH: No, I did not.

Mr MALEY: Did you have any involvement as a minister in relation to the sacking of Jamie Chalker?

Mr PAECH: Those are confidential matters that were before Cabinet.

Mr EDGINGTON: Did the Solicitor for the Northern Territory provide advice to you or your Cabinet colleagues in regard to the sacking of Jamie Chalker?

Mr PAECH: The answer is yes. As noted previously, the question on notice will be in relation to the hours.

Mr MALEY: Was there any cost involved in receiving that advice?

Mr PAECH: That question has been answered.

Mr MALEY: This is in relation to the actual advice. We are not talking about the case; the minister just told us they received advice from the SFNT, and I am asking about the cost of that advice. This is a separate matter that is not taken on notice.

Mr PAECH: As I highlighted earlier this morning, the SFNT does a free service for existing government agencies and bodies. Again, it would be the hours of the number of staff who worked on any advice provided to government.

Mr MALEY: Can we take that on notice—how many hours and staff in relation to the advice you received?

Mr PAECH: I am happy for that to be captured by the previous question on notice in regard to all hours.

Mr MALEY: We are talking about a different matter. We are talking about the advice, not the actual case, so I would like to put that question on notice.

How many hours and staff were dedicated to the advice your department asked for from the SFNT in relation to Jamie Chalker and Colleen Gwynne? We might as well get that in one question as one hit.

Mr CHAIR: Member for Nelson, that question is almost identical to the first one about Mr Chalker. Do you want to do one about Colleen Gwynne?

Mr MALEY: We are talking about advice received now, not the actual prosecution. The minister said that he got some advice, so I am asking about hours and staffing in relation to that advice.

Mr PAECH: May I confirm, are you talking about the former Police Commissioner or the current Children's Commissioner?

Mr MALEY: I am talking about the former Police Commissioner, but I am trying to make it easier by getting both in one. Let us talk about Jamie Chalker for now—just one to make it easy.

Mr PAECH: I am happy to take that on board, and I note in the interests of this matter that we refer to the individual as the former Police Commissioner.

Question on Notice No 6.3

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

Mr MALEY: Can the minister please provide us the number of hours worked on and the staff dedicated to the advice the department received in relation to the separation of the former Police Commissioner?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Nelson has been allocated the number 6.3.

Mr EDGINGTON: The former Police Commissioner brought a court action against the Chief Minister and the Police minister. Can you advise what involvement the Solicitor for the Northern Territory had and whether they represented the Chief Minister and the Police minister?

Mr PAECH: I am advised that SFNT represented them.

Mr EDGINGTON: Can you say whether that was direct representation, or did they engage outside counsel to represent both the Chief Minister and Police minister?

Mr PAECH: SFNT went to outside counsel.

Mr EDGINGTON: What was the legal cost to provide that representation?

Mr PAECH: That would have been incurred by the client agency, the Department of the Chief Minister and Cabinet, and it will be provided by the Chief Minister's question on notice—all legal costs that were involved in that matter.

Mr EDGINGTON: I am not sure whether that question on notice was that specific regarding particular costs relating to the Chief Minister or the Police minister. I would like to put that on notice, please.

Mr PAECH: That would not be for this output. It would potentially need to be asked of those ministers during Question Time in the next sittings of parliament because those costs would be absorbed by the client agency, not by the Department of the Attorney-General and Justice.

Mr CHAIR: To be fair, Member for Barkly, there is a question on notice for the Chief Minister in relation to the cost for counsel.

Mrs LAMBLEY: But it was not to that detail.

Mr CHAIR: I understand that. There is a question on notice that the Chief Minister accepted. The minister said that it relates to the Chief Minister's department.

Mrs LAMBLEY: The Chief Minister never told us the piece of information that the Attorney-General just revealed. She never told us that the taxpayers of the Northern Territory effectively paid for her legal advice in regard to the charges or the allegations made by Chalker.

Mr CHAIR: Unfortunately, we do not have the Chief Minister in front of us. The only option I can afford as the Chair is a written question or in parliament during Question Time because the Chief Minister will not come back before Estimates this week.

Mr MALEY: They can take it on notice.

Mr CHAIR: If the minister will take it on notice.

Mr PAECH: I will provide some context. I cannot take questions on notice that do not relate to me or my department. Those costs would have been incurred to the client agency. They are not direct costs of the individual who is currently the Chief Minister; they are for the roles they hold. Therefore, their agencies would need to provide the relevant information to the Estimates Committee. You may want to take a written question or you may want to ask them in the next sittings of parliament. They are costs I would not be able to provide you because they do not relate to my department.

Mr EDGINGTON: The Solicitor for the Northern Territory is part of your department. Can you tell me how many hours the Solicitor for the Northern Territory incurred by providing advice to the Chief Minister and the Police minister?

Mr PAECH: I am more than happy to take that question on notice.

Question on Notice No 6.4

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: How many hours were incurred by the Solicitor for the Northern Territory providing advice to the Chief Minister and the Police minister?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.4.

Mr MALEY: In relation to the outside advice, I confirm that the SFNT engaged outside counsel. That is your department, but the bill was passed directly to the Chief Minister and you never saw it. You have no idea what that bill is; is that correct?

Mr PAECH: SFNT assists the agency—the agency being the client—to the pathway to the outside legal advice. Then that agency engages with them. That is where the relationship is born where the individual agency engages in that work, gets the advice and then at the end covers the costs. We are the conduit or the interface to link up our client with the external legal support.

Mr MALEY: You are confirming that you as the minister have never seen the actual costs incurred by the Chief Minister or the Police minister in relation to the legal advice they received from your department?

Mr PAECH: Yes.

Mrs LAMBLEY: Who was the outside counsel used to represent the Chief Minister and the Police minister in the Chalker legal case?

Mr PAECH: I suggest that is a question for the Department of the Chief Minister and Cabinet. I would not have that information at hand.

Mrs LAMBLEY: Is that organised through the SFNT? Presumably, the SFNT makes the decision to use outside counsel and commissions that work. Do you have any information on that?

Mr PAECH: In relation to ...

Mrs LAMBLEY: The Chalker case and the representation of the Chief Minister and the Police minister.

Mr PAECH: HWL Ebsworth were the lawyers and Hamish Baddeley counsel.

Mrs LAMBLEY: Are they Northern Territory legal practitioners?

Mr PAECH: Yes, they are.

Mrs LAMBLEY: What are the guidelines when a minister finds themselves in a legal pickle requiring representation? What are the government's guidelines about how much the taxpayers will spend on defending ministers?

Mr PAECH: I am sure in your time as a minister you may have been in a pickle.

Mrs LAMBLEY: I have been in many pickles, but not a legal pickle.

Mr CHAIR: I did not know how that would go down then!

Mr PAECH: I am happy to ask Craig Smyth to respond about the pathway to provide you with any information or clarification on that process.

Mr SMYTH: As the minister said, the general process in relation to the provision of legal services is the Solicitor for the Northern Territory will be approached—usually by a department but sometimes it can be by a minister—and a request for legal services is put in. That request for legal services could include anything from giving legal advice to representation in court.

The nature of the matter is then usually discussed with the person or officer who has requested the advice and options are given. If, for example, a minister is a defendant in a court case, it is incumbent on the Territory to defend that minister's position. Either the Solicitor for the Northern Territory will act for the minister and an external barrister or counsel will be engaged, or an external law firm will be engaged and a barrister will be engaged as well for court proceedings.

How far that representation in the court case goes and the costs involved are a matter not for the Solicitor for the Northern Territory but for the client who has requested the services—the department or the minister's office.

Mrs LAMBLEY: The limitation is set by the minister, ultimately, themselves on how much?

Mr SMYTH: Yes, that is right. We do not have any control over the extent of the costs for the matter.

Mrs LAMBLEY: It could be open-ended or have a maximum amount or a cut-off?

Mr SMYTH: It could, consistent with the model litigant policy that the SFNT and the Northern Territory follows. All legal costs are minimised to the extent that they can, and matters are settled to avoid incurring legal costs. Theoretically, legal costs can be open-ended, but consistent with that policy we do all we can to minimise the legal costs in matters.

Mr PAECH: In addition to the Member for Araluen's question, it would ultimately be a decision as well for the department about the costs and the ceiling. If that was not to be met, that matter would have to then be discussed by Cabinet about the costs and the setting of a ceiling of which it would pursue any of that legal work or advice.

Mrs LAMBLEY: Are those costs usually kept confidential, like we are hearing today and have been over the last week or so of Estimates? Is it standard practice to conceal this information from Territorians?

Mr PAECH: No, the costs incurred by an agency would be provided where there are issues that have arisen.

Mr MALEY: Can you tell us how many times in the last reporting year a minister from the Labor government has approached your agency for advice?

Mr PAECH: It is a very rare occurrence. I am happy to take that question on notice about what relationship ministers may have had.

Mr MALEY: You are saying that it is a very rare occurrence, yet you cannot tell us how many times in the last reporting year a minister from your department or your government has approached your agency for legal advice?

Mr PAECH: As the Attorney-General I am presenting to you the most accurate figures, and in the interest of being open and accountable I am happy to take that on notice.

Question on Notice No 6.5

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

Mr MALEY: Can you tell the committee how many times a minister from the Labor government approached your agency in the last reporting term for advice on legal matters?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Nelson has been allocated the number 6.5.

Mr MALEY: Recently, the Police minister took civil action against a person in Alice Springs. Was your agency approached for advice in relation to that matter?

Mr PAECH: No.

Mr EDGINGTON: How many judgements have been entered against the Northern Territory Government in the past year, and what were the subject matter of those?

Mr PAECH: No settlements or judgements have been paid for by SFNT during the current reporting period. I demonstrate that is relevant to each agency and department, but no settlements or judgements have been paid for by SFNT during the current reporting period.

Mr EDGINGTON: Perhaps you can answer this. How much has been spent on outside counsel by the Solicitor for the Northern Territory in the past year?

Mr PAECH: The amount paid to outside legal firms or barristers engaged from 1 July 2022 to 31 March 2023 through the Department of the Attorney-General and Justice, as a whole department, was \$3,050,178.24.

Mr EDGINGTON: How much money was paid out to seek expert advice in regard to any matters?

Mr PAECH: The figure I provided is the whole of the Department of the Attorney-General and Justice for legal work.

Mr MALEY: That is obviously not including any legal work for the former Police Commissioner or Colleen Gwynne because they are another department's problem; is that correct?

Mr PAECH: They would be and continue to be external agency costs.

Mr MALEY: Is this \$3m just outside advice where your department has engaged outside lawyers?

Mr PAECH: That is correct.

Mr MALEY: How many matters were involved in that \$3m legal fee bill that your agency racked up?

Mr PAECH: This is a question that we have responded to previously as a written question. The scope of the question is very broad and encompasses a large number of matters handled by legal firms and government lawyers, including prosecutions and advice given by the Solicitor-General. Providing details on some legal matters has the potential to prejudice the interests of the Territory and other parties.

Mr MALEY: I am just asking how many. I am not talking about what the advice was or anything that may prejudice others. I am just asking how many were given.

You said that these fees were for advice given to other departments, but earlier you said that you are just a conduit and that you just introduce those barristers or legal fees to the other departments. How, on the one hand, do you say that you are not responsible and now you have ended up with a \$3m fee saying you are responsible for some advice? How do you pick and choose which advice you will pay and not pay?

Mr PAECH: Those costs are relevant to the Department of the Attorney-General and Justice. It could be legal advice that had been sought on a matter for the DPP, Northern Territory Correctional Services or any one of our divisions within the department. It could be legislative work or a number of areas. It does not change the fact that individual agencies are client agencies and take carriage of their own costs for legal matters for their relevant departments.

Mr EDGINGTON: That \$3m fee related to counsel. Have there been any other costs incurred seeking expert advice from consultants who are not necessarily legal practitioners?

Mr PAECH: These are all costs relating to legal matters. There would be other costs that the department has for consultation work in relevant agencies.

Mr EDGINGTON: Could some of that money have been incurred for expert advice to support a matter, not necessarily for legal advice?

Mr PAECH: The number that I have provided is for legal matters. There would be other costs for consultancy work that did not require work in the legal space.

Mr EDGINGTON: What is the cost of that?

Mr PAECH: Are you seeking advice on costs incurred by the department for consultancy work?

Mr EDGINGTON: That is right.

Mr PAECH: Five have been undertaken. The first was for \$233,756; the second was for \$31,588; the third was for \$57,500; the fourth was for \$70,739.60; and the fifth was for \$533,225.

Mr EDGINGTON: What would that involve? What sort of advice was sought from those firms or individuals? Are they individuals or organisations?

Mr PAECH: They were for organisations and consultants and would range from matters relating to Correctional Services to investigative work for one of our agencies or WorkSafe. They could be around developing strategies for legal services. It is quite broad.

Mr MALEY: I want to go back to the civil action brought by the Police minister in Alice Springs. Were you aware of that before the action commenced?

Mr PAECH: Could you repeat the question?

Mr MALEY: Were you aware of the court action the Police minister brought against the civil person in Alice Springs—Action for Alice—before she commenced those proceedings?

Mr PAECH: That is a private and personal matter for Minister Worden. That has no direct responsibility, carriage or relating to any outputs in the Department of the Attorney-General and Justice.

Mr CHAIR: I will provide some clarity on that. It is a personal matter and the Minister for Police answered those questions last week. As you rightly pointed out, it is a civil matter. It is in the public domain as to how that has played out and it does not have any relevance to the Estimates Committee. It was made clear there was no cost to the taxpayer and therefore does not relate to the budget. Any questions related to that, will not occur.

Mrs LAMBLEY: A point of order, Mr Chair! That information was not ever provided in Estimates. The only thing that was said by a minister in response to any question on this subject was the word 'no'.

Mr CHAIR: No, read the transcript from last week. It was definitely raised in the Estimates hearing, but it has also been reported in the *NT News*.

Mrs LAMBLEY: The minister never said it was a private or civil matter.

Mr CHAIR: The Member for Nelson acknowledged earlier in his question that this was a civil matter.

Mrs LAMBLEY: No minister has ever clarified or substantiated that.

Mr CHAIR: There is no point of order. He has clarified that there was no cost to the taxpayer as it was private.

Mrs LAMBLEY: You are providing information that you do not even ...

Mr EDGINGTON: Civil does not mean personal.

Mr MALEY: I will take it away from the personal sphere because I accept that. Did the Police minister talk to you as the Attorney-General about any court action against Action for Alice?

Mr PAECH: No.

Mrs LAMBLEY: Was the Solicitor for the Northern Territory or your agency involved in the Zachary Rolfe case that concluded in March last year?

Mr PAECH: To respond accordingly, is that in relation to the prosecution or the coronial?

Mrs LAMBLEY: The prosecution.

Mr PAECH: I am advised no.

Mrs LAMBLEY: Nothing to do with it at all—never?

Mr PAECH: SFNT, no. I acknowledge that this will be a matter that we can discuss in Output 4.0 with the DPP.

Mr EDGINGTON: Is SFNT involved in the coronial matter in Alice Springs regarding the Yuendumu shooting?

Mr PAECH: In the interests of providing accurate information, I will hand over to Craig Smyth to respond to your question about the coronial inquest into Kumanjaji Walker in Alice Springs.

Mr SMYTH: The Solicitor for the Northern Territory is not engaged in that coronial.

Mr EDGINGTON: Has the SFNT been asked to engage with any outside counsel regarding that matter?

Mr SMYTH: In that coronial, a number of parties are represented by outsourced legal firms and independent counsel from the various bars, as well as the Coroner engaging counsel assisting. SFNT's role in relation to those is—as we have discussed generally this morning—SFNT will act as a conduit for arranging legal representation either through a legal firm or barrister for the agencies that require representation in that coronial.

Mr EDGINGTON: My understanding is that staff from the Attorney-General's department has appeared at that coronial. Did the SFNT provide representation to that staff member?

Mr SMYTH: Do you mean as a witness?

Mr EDGINGTON: Yes.

Mr SMYTH: I might have to take that on notice.

Mr DEPUTY CHAIR: Member for Barkly, please restate the question for the record.

Mr PAECH: Before you start, Member for Barkly, in the interests of being accountable, we can provide information on the witnesses. I acknowledge that we had a member of staff from the Attorney-General's department appear as a witness—namely, Ms Leanne Liddle from the Aboriginal Justice Unit. I note there

would have been other witnesses from other agencies across government—namely, members from the Department of the Chief Minister and Cabinet with a presence in the community of Yuendumu. That would be a question for the Department of the Chief Minister and Cabinet in regard to who appeared. I am happy to take on notice the question on our staff.

Question on Notice No 6.6

Mr DEPUTY CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: My understanding is that a witness who appeared before the coronial in Alice Springs was from the Department of the Attorney-General and Justice. Can you please advise whether legal advice was provided by SFNT or outside counsel? What was the cost of that advice?

Mr DEPUTY CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr DEPUTY CHAIR: The question asked by the Member for Nelson has been allocated the number 6.6.

Mr EDGINGTON: I think you gave me cost of consultants used during the year. Does the department have any contracts with PricewaterhouseCoopers?

Mr PAECH: Not that I am advised—not in the reporting period.

Mr EDGINGTON: I will frame it a different way. Has the department sought any previous advice from PwC during the reporting period?

Mr PAECH: As I advised, we did not engage with PricewaterhouseCoopers during the reporting period, which we are here to discuss today.

Mr EDGINGTON: Are there no current contracts in place with PwC?

Mr PAECH: We did not engage during the reporting period. I would have to seek advice if there is anything beyond the reporting period, which is out of the scope of today.

Mr EDGINGTON: Thank you, will you take that on notice?

Mr PAECH: I will not, because it is outside of the reporting period for Estimates.

Mr EDGINGTON: What is the reporting period for Estimates? I would have thought it was up to today.

Mr PAECH: The reporting period is from July 2022 to 31 March 2023. That is the reporting period for Estimates.

Mr EDGINGTON: Where does it say that?

Mr PAECH: That has been longstanding. Estimates is to discuss the appropriation of the budget.

Mr EDGINGTON: Is that written into the standing orders somewhere?

Mr DEPUTY CHAIR: Member for Barkly, we can check the terms of reference. It is a longstanding convention. This is my fourth Estimates. Sometimes a minister will provide additional data after 30 March, but the reporting period goes from July to 30 March.

Mr EDGINGTON: But we are here on 20 June. I have heard all sorts of conventions, but I have not seen in the Estimates booklet ...

Mr PAECH: In the interests of responding to the Member for Barkly ...

Mr EDGINGTON: I am still talking, Mr Deputy Chair.

Mr PAECH: I am happy to take that question on notice, but I remind honourable members that Estimates is not a free-for-all; it is to cover the reporting period. We would need to find and collate the information from 31 March until today, with 31 March being the end date of the reporting period from July 2022 to 31 March.

Mr DEPUTY CHAIR: I think yesterday someone had up-to-date data to the last pay cycle because they could get that data. Most agencies have said that they do not have the data after 30 March.

Mr PAECH: I am happy to take that question on notice.

Mr EDGINGTON: I do not think this would be too onerous for the department, Mr Deputy Chair.

Mr DEPUTY CHAIR: That is great because the minister has agreed to take the question on notice.

Question on Notice No 6.7

Mr DEPUTY CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: Does the department have any contracts with PwC during the current reporting period up until 20 June 2023?

Mr DEPUTY CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr DEPUTY CHAIR: The question asked by the Member for Barkly has been allocated the number 6.7.

Mr MALEY: We all know that the cost of living is going up and inflation is up over 6%. I see that the Solicitor for the Northern Territory has had a budget cut from \$10,885,000 to \$10,282,000. Can you please tell us what services will be cut in relation to this department?

Mr PAECH: I am happy to talk through those budget variations. There is \$402,000, which was the expiry of the youth justice claims memorandum of understanding with the Department of Territory Families, Housing and Communities. There is \$190,000, which is one-off revenue and expenditure in 2022–23 for litigation costs awarded against Australia Bay Seafoods, and an \$11,000 net reduction for the Northern Territory Government parameters and efficiency dividends.

Mr MALEY: Can you tell us what services will be cut because the budget has been cut, according to your papers? We know that the cost of living has gone up. For example, you told us that you spent \$3m on legal fees last financial year. That will go through the roof because the cost of living and legal fees will go up. Can you tell us what services will be cut in relation to the figures in your budget papers?

Mr PAECH: At this stage there will be no cuts. We will manage what we can with what we have. If need be, we will highlight and demonstrate the need through future budget cycles and budget Cabinets regarding the investment in the SFNT. We are confident that we can continue to deliver a quality service and that we will manage and look at how we can make improved efficiencies.

Mr MALEY: You accept that the Solicitor for the Northern Territory will have to toe the line or watch its purse strings because the budget has not been increased. In fact, it has been decreased. We know that the cost of living and expenses have gone up, which will affect the bottom line of the Solicitor for the Northern Territory. Do you accept that?

Mr PAECH: I think it is important to provide some clarification and correction. The SFNT always manages its budget very cautiously and is always looking at where there are possible savings. We do the work with the resources that we have. If there were additional resources required to meet demand pressures, the Northern Territory Cabinet and relevant agencies would look at how we could accommodate that.

Mr MALEY: Are you saying if the Solicitor for the Northern Territory cannot provide the services on demand, it will have to go to the Treasurer for a Treasurer's Advance, for example?

Mr PAECH: There is a number of options available; that could be one. The agency going to external law firms to conduct work if it is a capacity issue is available to them.

Mr MALEY: If they go to outside law firms, that will make the problem worse because—I think everyone in this room agrees—the cost of living has gone up, and outside law firms will be charging more for the services provided to your agency. That will put more downward pressure on the budget, which has to result in a cut somewhere. Do you accept that the decrease in money and increase in cost of living will have an effect on your department and the Solicitor for the Northern Territory?

Mr PAECH: Our chief financial officer and each agency head and division manages their budgets accordingly, efficiently and rigorously. We monitor those budgets regularly; and, if we identify areas of concern in the budget, they can be addressed. We can look at the department's global budget and where it needs realignment to support a division or agency within that. We will do that if required.

Alternatively, there is a midyear budget process where if we identified a growing concern in budgetary requirements, it can be considered.

Mr EDGINGTON: What is the current expenditure in the Solicitor for the Northern Territory?

Mr PAECH: The Solicitor for the Northern Territory year to date is \$8.247m.

Mr EDGINGTON: Up to what date?

Mr PAECH: That is year to date to 31 March 2023.

Mr EDGINGTON: I keep hearing about the reporting period, but do you have any figures as of today in front of you?

Mr PAECH: As of today—noting that the end of the financial year is upon us—we anticipate that there will be a small budget underspend.

Mr EDGINGTON: How much?

Mr PAECH: It will be \$266,000.

Mr MALEY: That still means there will be a budget cut for next year because the budget estimate is \$10.2m. Will we still have a cut next financial year?

Mr PAECH: No. When you look at the overall budget, you see that I highlighted at the start the one-off budget variations that no longer need to be considered by SFNT.

Mr MALEY: Are you talking about one-off budget things? We will get on to bail later, but surely the review will be a cost to your department. Those one-off items will continue, so ultimately there will still be a cut in services. Do you accept that?

Mr PAECH: I will ask the chief executive officer to provide commentary about what we will do with anticipated costs and pressures when the budget is passed.

Ms LAKE: Once the budget is passed we will look at the budget for the entire department, including the anticipated spend for the year. We will do that work to determine where each division sits and how we sit as a global budget. That will determine whether any measures need to be taken. That is work we are conducting. Now we have commenced, but it will continue into the new financial year.

Mr MALEY: Are the measures to cut the costs so that you come within budget?

Ms LAKE: It depends on what the projected outlook is. If we are looking at a projection that is under budget, we would not need to make any cuts. If we were looking at a projection that is over budget, we would need to consider where the resources go.

Mr MALEY: What are the current projections?

Ms LAKE: They are not finalised as yet.

Mr MALEY: What have you done to date?

Ms LAKE: The numbers are still being worked through. We have to wait for the budget to be passed. We need to understand if we have applied for a Treasurer's Advance, how much we might receive. We have to look at the end of financial year to see whether there is a carryover of funds into the next financial year, so it is matter that we need to determine early into next financial year. A body of work goes on around that.

Mr EDGINGTON: Has your department had responsibility for drafting the exposure draft of the ICAC amendment bill?

Mr PAECH: No.

Mr EDGINGTON: Which department had responsibility for that?

Mr PAECH: That is the Department of the Chief Minister and Cabinet. The Chief Minister has the portfolio responsibility of the statutory body of the Independent Commissioner Against Corruption. Amendments and legislative reviews—any work taken relevant to that office—would be done by the Department of the Chief Minister and Cabinet.

Mr EDGINGTON: Did anyone from your department speak to the ICAC Commissioner prior to the exposure draft being publicly released?

Mr PAECH: As an agency we were consulted, but no-one spoke directly with the ICAC Commissioner. I highlight that the output is legal policy.

Mr EDGINGTON: Can we ask further questions in legal policy, minister?

Mr PAECH: About the legislation I have carriage of—absolutely.

Mr DEPUTY CHAIR: That concludes consideration of Output 1.1.

Output 1.2 – Legal Policy

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

Mr EDGINGTON: Did you have any conversations with the ICAC Commissioner prior to the release of the exposure draft of the ICAC bill?

Mr PAECH: No, I did not.

Mr EDGINGTON: Did anyone from your department speak directly to the ICAC Commissioner prior to the exposure draft being publicly released?

Mr PAECH: I am advised that no-one had direct contact, but the agency had been consulted about the draft amendments.

Mr EDGINGTON: The funding for the legal policy division leaped about \$6m last year in the revised figures. This year's funding is about \$3m less. Can you explain what is happening? Is that top-up funding for Legal Aid last year or is there more to it?

Mr PAECH: Yes, there has been a number of budget variations, which I will step through now:

- There was a carryover of \$1.529m of unspent Commonwealth funding from 2021–22 to 2022–23 under the National Legal Assistance Partnership
- \$1.573m was the expiry of one-off temporary support for the Northern Territory Legal Aid Commission
- \$218,000 was carryover from 2021–22 to 2022–23 that partially met the Northern Territory Legal Aid Commission's bush courts expenses
- \$196,000 was a cessation of time-limited funding to employ additional legal policy
- \$175,000 was the expiry of Commonwealth funding for a local support coordinator—since the finalisation of the budget the Commonwealth has committed to funding the coordinator position in 2023–24

- \$138,000 was the return of funds between outputs for review of legal services
- \$55,000 was a net decrease for the Northern Territory Government parameters and efficiency dividends
- and there was a \$77,000 variation for the NLAP funding scheme in accordance with the Commonwealth schedule payment agreement.

Mr EDGINGTON: The immediate review of bail laws was launched in March, 91 days ago. Is this what you think Territorians would expect 'immediate' to mean? Where is the outcome of that review?

Mr PAECH: When it comes to bail, the Northern Territory Government took an immediate response. We made legislative changes to the presumption against bail for violent offences involving a weapon. We then took further immediate action and stood up the bail and weapons review task force. The task force will be reporting to me later this month.

In addition to bail, the task force is looking at whether we need to strengthen the penalties for weapons offences and whether additional weapons should be included in the list of prohibited controlled weapons. We are also considering changes introduced in Queensland, which allow police greater powers to scan people for weapons.

We are committed to this area and will leave no stone unturned. We have directed resources across government to urgently address this issue, including Police, Education and Health. The bail review and weapons task force consists of members from the Northern Territory Police Force, the Department of the Attorney-General and Justice, the DPP and Territory Families. There is work happening in this space.

Mr EDGINGTON: Is it just the one review happening at the moment in regard to bail laws and knife crime, or are they two separate issues?

Mr PAECH: They are separate. The development of a knife strategy is under way. That is separate to the bail and weapons review task force.

Mr EDGINGTON: Is the bail and weapons review task force the one you are expecting shortly?

Mr PAECH: That is correct.

Mr EDGINGTON: When are you expecting the outcome of the knife crime strategy or policy?

Mr PAECH: That is under development at the moment. We are working on a knife crime strategy. The strategy should be ready or completed in August. We are putting resources in that across government. This is a whole-of-government response to stamp out knife crime.

The representatives or relevant agencies involved in the development of the knife crime strategy are the Department of the Attorney-General and Justice; the Department of Health; Northern Territory Correctional Services; the DPP; Northern Territory Police, Fire and Emergency Services; Territory Families; the Department of Education; and the Department of the Chief Minister and Cabinet.

Mr EDGINGTON: Will both reviews be made public?

Mr PAECH: The Chief Minister indicated yesterday that the bail and weapons review will be made public. Upon its completion, it will be handed to the Northern Territory Cabinet for review.

Mr EDGINGTON: Are you committing to releasing that publicly after it has been to Cabinet?

Mr PAECH: The Chief Minister made a commitment yesterday that it would be released.

Mr EDGINGTON: When will we see the outcome of the knife crime strategy?

Mr PAECH: That strategy is in development at this stage. It is a comprehensive strategy. I have asked and indicated that upon that strategy, we are looking at what other jurisdictions are doing, not only in Australia. I note that Victoria has had a knife crime strategy in place for a number of years. As recently as this morning, New South Wales has flagged changes to developing knife crime strategies and increasing penalty points and fines. Queensland is also looking at the same.

We will be reaching out and working with our interstate jurisdictions on the developments in that space, but also looking at the international space. There has been significant work in the United Kingdom—in England and Scotland. Different jurisdictions have taken different responses. You will note that some of the jurisdictions have taken more of a health and harm-reduction approach and others have taken a more criminalised response.

The Chief Minister said yesterday that the strategy would be developed and is anticipated to be completed in August.

Mr DEPUTY CHAIR: It is 10 o'clock, which means it is time for us to have a short recess for 10 minutes.

The committee suspended.

Mr DEPUTY CHAIR: We will resume Estimates hearings on Output 1.2, Legal Policy.

Answer to Question on Notice No 6.6

Mr PAECH: The Solicitor for the Northern Territory did not support any witnesses from the Department of the Attorney-General and Justice. However, one witness appeared from the Department of the Chief Minister and Cabinet whom SFNT supported. This was in the nature of assisting them in a statement and proofing their evidence at no additional cost to the department.

Mr EDINGTON: At the end of March, we were told that the Bail Amendment Bill would stamp out knife crime. Would you agree that it has failed?

Mr PAECH: The Northern Territory Government responded with legislative changes to bring in the presumption against bail for violent offences involving a weapon. We immediately moved to establish the bail and weapons task force, which will provide its report to me at the end of this month. Subsequently, the Northern Territory knife crime strategy is under development. There is a lot of work happening in this space.

The expertise of both those groups ranging across government is well recognised. The contributions they make from different parts of government are important and will be vital to ensure we have a comprehensive strategy and that the bail review and weapons task force can provide a suite of measures that government can consider.

Mr EDINGTON: Since then there have been more than 10 serious stabbings in the past couple of months, including a man killed outside the Todd Tavern a couple of weeks ago. Do you think your bail laws have been a success?

Mr PAECH: Those matters are under investigation and will need to go through the legal process.

We continue to be committed to looking at necessary law reform, where it is appropriate to do so. We are also looking at any potential unintended consequences that may flow on from that.

We made changes in relation to the presumption against bail. We are developing the knife crime strategy and there is the bail review task force. I will not pre-empt any of those decisions or recommendations. We will work through them in a considered approach when they are handed to government.

Mr EDINGTON: The bail laws you introduced with a presumption against bail for serious violent offences did not include offensive weapons. Why was that?

Mr PAECH: The bail and weapons review task force is looking at that, and they will make recommendations where they feel it is necessary and appropriate. I will not pre-empt them.

Mr EDINGTON: Would you describe a knife as an offensive weapon?

Mr PAECH: That is a matter that will be discussed. We will have a range of options to consider following the completion of that review.

Mr EDGINGTON: The question was to you. Is a knife an offensive weapon?

Mr PAECH: In the legislation that was brought to parliament, we talked through a number of items that were in the prohibited and controlled weapons. We said that the bail review task force would consider items that are currently in 'offensive weapons'.

In relation to your question, I refer that to Standing Order 109; you are asking me for a hypothetical or a personal opinion.

Mr EDGINGTON: It is not hypothetical. There is a definition in the *Weapons Control Act* regarding offensive weapons. Does that include a knife?

Mr PAECH: The question is whether it is a controlled or a prohibited weapon. We talked at length on the floor of parliament in the committee stage amendments about what was a controlled and a prohibited weapon and that the bail review task force would look at what is currently defined as an offensive weapon. We have the expertise of the Department of the Attorney-General and Justice, the DPP and the Northern Territory Police Force on that bail and weapons task force, which can provide an analysis of what new offensive weapons need to be considered.

Mr EDGINGTON: Based on your expertise as the Attorney-General, is a knife an offensive weapon in accordance with the definition in the *Weapons Control Act*?

Mr PAECH: There are weapons in the 'controlled' and 'prohibited' weapons that are knives. Across the board, there are different considerations as there are different types of knives—for instance, a butter knife compared with a machete. There is work being done. I will not pre-empt the bail review task force ...

Mr EDGINGTON: The question is pretty simple. Based on your expertise as the Attorney-General, is a knife classed as an offensive weapon within the definition in the *Weapons Control Act*?

Mr PAECH: It is a controlled weapon. I have answered that question.

Mr CHAIR: I believe the minister has answered the same question three times.

Mr EDGINGTON: He did not answer it three times at all.

Mr MALEY: Can you explain why you limited the weapons to 'prohibited weapon' or 'controlled weapon'? Why did you not just give it a broad definition to keep Territorians safe, and let your review bring it back down if that is what is recommended?

People in the Territory are feeling unsafe because people are using improvised weapons such as broken bottles, screwdrivers, rocks, vehicles, pushbikes—anything at all—when they attack someone. From my experience, if you are threatened by someone with a broken bottle, the fear you feel would be the same as if you were threatened with a ninja star, for example, which is under the definitions you talk about.

Why did you not protect Territorians and give the broad definition of an 'offensive' weapon and then let your review take its course? If that was too wide, you could bring it back to 'controlled' and 'prohibited' weapons?

Mr CHAIR: I am happy to let the question go, Member for Nelson, but I remind you of the imputations and inferences in 'why did you not protect Territorians'. It is up to the minister whether he would like to answer the question.

Mr PAECH: I want to be very clear that this is what the task force is considering. When it comes to offensive weapons in the *Criminal Code Act*, which is very broad, the position is that 'controlled' and 'prohibited' weapons are considered in that. We asked the bail and weapons review task force to look at what is currently considered an 'offensive' weapon. To incorporate 'offensive' weapons would be far too broad and could have high unintended consequences throughout the justice system and, of course, impacts on the Northern Territory Police Force. That will be reported back in due time at the end of this month by the bail and weapons task force review.

Mr MALEY: You said that 'offensive weapon' was far too broad. Can you expand on that? What advice did you get to form the view that 'offensive' weapon is far too broad? I ask that because people in the Territory are feeling unsafe because people are using screwdrivers, bottles or rocks. They are offended and upset

when they are threatened with those sort of weapons. Territorians are crying out for some support and you are saying that the definition is far too broad. Do you think that meets community expectations?

Mr PAECH: I make the point that this work is being undertaken by the bail and weapons review task force. An offensive weapon, by definition, could be anything. It is so broad that it could be your plastic water bottle. We needed to work through and define that. We also needed to be mindful of the unintended consequences, particularly for victim-survivors of domestic and family violence who, in some instances, may be protecting themselves from a horrific circumstance.

I will ask the Deputy Chief Executive Officer of the Department of the Attorney-General and Justice to provide some additional context on this.

Ms SWART: The bail and weapons offence review task force is being chaired by me. We are looking at whether the legislation that was passed earlier this year in relation to the bail presumptions goes far enough and whether there is any other type of offensive weapons or other types of weapons that need to be prescribed. We are also looking at data on the presumptions and whether any other amendments to the *Bail Act* need to be made, which will improve community safety.

The purpose of bail is to ensure that the alleged offender attends court in answer to their charges and also to prevent any further offending. Essentially in the context of that, it is about risk mitigation.

We are also looking at the offences and penalties under the *Weapons Control Act* and the Criminal Code in relation to charges involving weapons to see whether those penalties are adequate. We are looking at other jurisdictions to see what they have been doing recently.

Mr MALEY: Do you consider community safety in your consideration of people using offensive weapons? I think the Member for Barkly said there have been 10 serious stabbings in the last two months. We know that four people have lost their lives to these sorts of assaults. Sifat was killed by a fire extinguisher. I am sure that fire extinguishers were not included in prohibited or offensive weapons. Have you considered the public safety aspect of this in your policy?

Mr PAECH: The position that our government has taken has been an evidence-based approach. The representation on the bail and weapons review task force is made up of agencies that deal directly, day to day, with members of our community.

We have also heard loud and clear from the domestic and family violence sector about the need for a considered approach regarding any unintended consequences that this may place, putting further trauma on or resulting in criminal charges for victims who are defending themselves from that situation.

There is a holistic approach to this, but it is an evidence-based approach. We are working through and looking at the statistics and the data.

Mr MALEY: You say it is an evidence-based approach. Can you outline what evidence you used to limit the offence to include only those controlled or prohibited weapons?

Mr PAECH: The priorities of this work that is being undertaken advise on any other recommendations deemed necessary for the *Bail Act 1982* to improve community safety and risk management of offenders in relation to offences involving a weapon.

Mr MALEY: Can you give me the two key pieces of evidence you used to limit the legislation to controlled and prohibited weapons? You said it was evidence based. What were the two key pieces of evidence that you used to limit the bail review to include only prohibited or offensive weapons? In my view that is a very narrow list.

Mr PAECH: This review that is ...

Mr MALEY: I am not talking about the review. There was an outcry in the community, you came in and changed the legislation and brought in this presumption immediately. You said that was an evidence-based approach. What evidence did you use to bring that legislation to parliament to be enacted on an urgent basis? What evidence did you use to limit it to 'prohibited' and 'controlled'? You said it is evidence based, so I am asking you to tell the committee what evidence you based it on.

I am not talking about the review that is happening after the fact. I am talking about what you used.

Mr PAECH: We were responding to community concerns and issues in the community in regard to knife crime. A knife is a controlled weapon and was captured by the presumption we introduced. That is based on evidence and data.

Mr MALEY: I accept all that. What evidence did you use to bring in that legislation? You said it is evidence based, so what evidence did you use?

Mr PAECH: It was based on responding to the community on the issue of knife crime. A knife is a controlled weapon; therefore, when the legislation was brought to the Northern Territory Legislative Assembly, controlled and prohibited weapons and the presumption against bail were brought to the floor, debated and passed.

The review task force that is active now is much broader in its terms and scope. It is looking at the bail and weapons control legislation where there may be items that are controlled, prohibited or offensive weapons that may be subject or recommended for change.

Mr MALEY: Can you name one piece of key evidence you used to bring that legislation to parliament, to limit the legislation to 'controlled' and 'prohibited'? I asked for two but I am asking for one piece of evidence you relied upon. I accept there was community outcry, but that is not evidence. What evidence did you rely upon—just one piece—that allowed you to bring in your legislation that was limited to controlled and prohibited weapons?

Mr PAECH: I have highlighted how we responded in the community to this matter and that the bail and weapons review task force will report at the end of this month, which may inform additional or further changes as necessary.

Mr MALEY: Is a spear included as a controlled or prohibited weapon?

Mr PAECH: I remind honourable members that, given the time of this legislation, the list of weapons—controlled and prohibited—was provided to members of the Assembly. It is a comprehensive list. That is still available. I am happy to provide that list to honourable members.

Mr MALEY: I will just get back to my question. Does the list include a spear under the advice from your department?

Mr PAECH: I again highlight that it is a consideration for the bail and weapons task force, and they will make the recommendations to the Northern Territory Government.

Mr MALEY: What about a machete? Is that included under a controlled or prohibited weapon?

Mr PAECH: In the interests of time and the number of outputs to get through, that information can be provided in the controlled, prohibited and offensive weapons schedules, which are readily available online through the websites.

Mr MALEY: Thank you for your help with time, but I am asking a question. Have you had advice on whether a spear and machete are included as controlled or prohibited weapons?

Mr PAECH: I will not pre-empt any work the bail review and weapons task force will provide to the Northern Territory Government.

Mr MALEY: I am not asking for their review. As the legislation stands, does a spear and a machete fall under the definition of a controlled or prohibited weapon?

Mr PAECH: Currently a spear, yes; and machete is being worked on by the bail review task force.

Mr CHAIR: That concludes consideration of Output 1.2.

Output 1.3 – Crime Victims Services Unit

Mr CHAIR: The committee will now consider Output 1.3, Crime Victims Services Unit. Are there any questions?

Mr EDGINGTON: The Ombudsman has outlined the ongoing massive backlog of applications for Victims of Crime assistance, with over 350 applications from 2018 remaining open. How do you justify a \$2m reduction in funding this year compared with 2022–23?

Mr PAECH: I brought forward the \$2m to assist the clearing and efficiency of Victims of Crime Northern Territory.

Mr EDGINGTON: What difference has that made to the backlog?

Mr PAECH: The one-off funding of \$2m was approved in 2022–23 to provide sustained support to victims of crime across the Northern Territory. This one-off increase in funding will be expended over 2022–23 and 2023–24 to sustain and expand the following services under the Restore, Recover, Protect Program: victims of crime support services; home resecures; vehicle resecures; home security assessments; provision of home security improvement funding; and regional and remote community crime prevention strategies. The one-off grant of \$2m is in addition to the annual funding of \$1.25m, bringing the total annual spending for Victims of Crime NT in 2022–23 to \$3.25m.

In response to your question, this assisted in the efforts to clear the backlog. A number of these measures taken to clear the backlog include the increased resourcing to the Crime Victims Services Unit and streamlining processes.

The Ombudsman appeared yesterday and commended the department and the Crime Victims Services Unit in the 2021–22 Annual Report for addressing the situation through increased resources, streamlining of operations and improved communication processes. It is important to highlight that this information is readily available in the Ombudsman's Annual Report. We will be addressing the streamlining of processes through legislative changes in the fourth quarter of this year.

Mr EDGINGTON: What is the total number of Victims of Crime assistance applications made before 2018 that remain open?

Mr PAECH: As at 31 March 2023, a total of \$3.39m in financial assistance has been awarded to people under the act who were victims of violent crime ...

Mr EDGINGTON: The question was ...

Mr PAECH: I am getting there. I am providing you with a holistic number, which I can then break down.

Mr EDGINGTON: Well ...

Mr CHAIR: Let the minister finish, Member for Barkly.

Mr PAECH: This is compared with \$2.372m as at 31 March 2022. There were 1,705 active applications from victims of violent crime compared with 1,727 as at March 2022.

Not all active applications are considered part of the pre-2018 backlog, as applications take time to process and new applications continue to be received. There were 255 active applications lodged pre-2018 compared with 452 at the end of 2021–22. This indicates that 197 pre-2018 backlog active applications have been determined.

Processing those claims can sometimes be a complicated task, given that we may not be able to contact the applicant as they may have left the jurisdiction or moved and they are uncontactable. Therefore, those claims still remain on our books until we are able to re-engage or that person comes forward.

Mr CHAIR: That concludes consideration of Output 1.3.

Output 1.4 – Criminal Justice Research and Statistics

No questions.

Output 1.5 – Aboriginal Justice Unit

Mr CHAIR: The committee will now consider Output 1.5, Aboriginal Justice Unit. We will give the officials a chance to swap in.

Mr PAECH: Leanne Liddle will be appearing from the Aboriginal Justice Unit.

Mr EDGINGTON: How many law and justice groups have been established officially? How many are planned for 2023–24?

Mr PAECH: The Aboriginal Justice Agreement has the establishment of local law and justice groups. There are six that are in various stages of progress and they will be rolled out over the next few months.

Mr EDGINGTON: Whereabouts are the six?

Mr PAECH: They are in the Barkly region, Barunga, East Arnhem, the Western Desert, Maningrida, Yuendumu and Kintore.

Mr EDGINGTON: Maningrida, Yuendumu and Kintore—what are the other three communities? I think there was Barunga. Whereabouts in the Barkly are they?

Mr PAECH: Yes, there is Barunga. The law and justice group in the East Arnhem region being developed will consist of five communities. That is being worked on through the department at the moment.

Mr EDGINGTON: Whereabouts in the Barkly is being established?

Mr PAECH: That group, at this stage, is through development in the Barkly and we will be looking at Tennant Creek and surrounding communities. We are doing work in that area and we have been consulting with the Barkly Regional Deal Governance Table.

Mr EDGINGTON: When you say you are doing the work, is that work being done internally by the Aboriginal Justice Unit? Is that work being done by staff in the Aboriginal Justice Unit?

Mr PAECH: That work is being done by Northern Territory Government staff. It consists of work being done in two areas. One is the Aboriginal Justice Unit in the Department of the Attorney-General and Justice. It is also being developed through the Department of the Chief Minister and Cabinet through its regional footprint with its regional executive directors who are based in those regions and can provide development and support.

Mr EDGINGTON: How far advanced is the Maningrida law and justice group?

Mr PAECH: The Nja-marleya Cultural Leaders and Justice Group has undertaken the role to determine that. It was established in response to antisocial behaviour amongst the community and issues, and developed a justice model. We are working with it now on finalisation of the funding, which we will stand up. We were due to go there recently, but it was deferred due to the passing of a loved one in that community. It will be rescheduled.

Mr EDGINGTON: Is the work at Maningrida being done by the department?

Mr PAECH: Yes, the work is well progressed in Maningrida and has been delivered in partnership with the Department of the Chief Minister and Cabinet through its regional executive director.

Mr EDGINGTON: How is Yuendumu going? Is the same department working on Yuendumu?

Mr PAECH: Yes. I believe you have been advised or have had a briefing from the consultant who was brought on to do that work.

Mr EDGINGTON: I have not received any briefings.

Mr PAECH: There has been a consultant, Tin Truck Consulting. I know it has briefed other members of the Legislative Assembly.

That one is in the early stages of development, but we anticipate that will come to the Northern Territory Government and we will be able to finalise and have it up and running as a cultural authority.

Mr EDGINGTON: I have not received any briefings. Can you tell me more about who the consultant is and what work is being done?

Mr PAECH: The consultant was Tin Truck Consulting, which is a local Central Australian-based company. It was assisting the Yuendumu community to establish a cultural authority group and a law and justice group. Consultations commenced in January and the final report is expected in June this year, the end of this month. It was working with the regional director in Yuendumu as well on the development of that.

It is important to acknowledge that in line with the recent community court legislation, the community courts will not sit where there is not an established law and justice group, so this is a priority of the government.

Mr EDGINGTON: Has it been awarded that as part of a tender process; is that right?

Mr PAECH: Yes, that was procurement through the Department of the Chief Minister and Cabinet to bring it on to establish law and justice groups and the cultural authority as part of local decision-making work.

Mr EDGINGTON: Was that just at Yuendumu?

Mr PAECH: Yes.

Mr EDGINGTON: When did that go out to tender?

Mr PAECH: That will be a question for the Department of the Chief Minister and Cabinet. It did the procurement on that work.

Mr EDGINGTON: Was that an open tender process?

Mr PAECH: You will have to ask it. I am not in a position to provide you with the procurement guidelines of the Department of the Chief Minister and Cabinet.

Mr EDGINGTON: Given that has gone out to open tender, will that be the process used across other law and justice groups?

Mr PAECH: Law and justice groups are not homogenous, as Aboriginal people across the Territory are not homogenous. Different law and justice groups will have different abilities to develop what they want to work through and do. We will take a considered approach to look at the different needs and objectives of each law and justice group and the involvement they want to have.

Some law and justice groups want to potentially only do work with the Local Court when the community court is in session. Other law and justice groups across the Territory—I visited recently the Member for Mulka—want to have more of a holistic involvement in community safety and antisocial behaviour. We are looking at it with a community-based approach for different responses.

Mr BROWN: Minister ...

Mr EDGINGTON: Sorry, I am still on a line of questioning here ...

Mr CHAIR: But as it says, he can jump in on your line of questioning.

Mr EDGINGTON: I am still asking questions, Chair.

Mr CHAIR: We will go after this question to the Member for Arafura. Do you have the same line of questioning, which the rules state you can ask?

Mr EDGINGTON: I am continuing with my questioning, Chair. I thought as the shadow, I can ask ...

Mr CHAIR: It clearly states that the member can ask a question on the same line of questioning.

Mr MALEY: After that.

Mr CHAIR: Ask your question and then he can jump in. Once you are done, he can have your question.

Mr EDGINGTON: Now I have forgotten what my question was.

You said those law and justice groups will choose what involvement they have with the court. Under the new legislation an Aboriginal experience report can be prepared only by the law and justice group. If that law and

justice group does not want to do that work, the individual may miss out on having an Aboriginal experience report provided to the court. Is that your understanding?

Mr PAECH: No, you may have taken it out of context. I said that the community courts will not sit where there is not a law and justice group. A foundation and criterion of the law and justice group is the Aboriginal experience report. That is necessary. We will not be in a position to stand up law and justice groups if there is not the commitment for them to conduct the Aboriginal experience report.

I am highlighting that, through the consultations that have been done by the Director of the Aboriginal Justice Unit, Ms Liddle, lots of remote Aboriginal Territorians, through the law and justice group establishment, wanted to be much more involved in community safety initiatives and looking at different approaches to the justice system.

We have said that is crucial and important. We recognise that and have kept quite broad what they can participate in. It is a requirement that they will conduct the Aboriginal experience report. They will work with the local judiciary in those community court circuits in providing those Aboriginal experience reports and the additional information that the judge may request at the time.

Mr EDGINGTON: How many communities have signed up to the Aboriginal Justice Agreement?

Mr PAECH: As at 20 April 2023, there are 146 individuals who are signatories of the AJA. We continue to work with all communities across the Northern Territory to engage their involvement and interest in the Aboriginal Justice Agreement.

It is safe to say that there is a high degree of interest and eagerness to participate in law and justice groups across the community. We made a commitment to law and justice groups; there are now six, and we will continue to scale that up as the years progress.

Mr EDGINGTON: Given that you scrapped a law and justice strategy in 2005, why has it taken 18 years to re-establish it in the Northern Territory?

Mr PAECH: There has been significant work that the Northern Territory Government has done since coming to government. Community courts ceased under the previous CLP administration. What we are saying ...

Mr EDGINGTON: My question was about the law and justice strategy. Why has it taken 18 years to ...

Mr CHAIR: He is answering your question.

Mr EDGINGTON: I am not talking about community courts. I am talking ...

Mr CHAIR: Member for Barkly, let the minister answer the question. Then you can go back and ask another.

Mr EDGINGTON: He is not answering my question.

Mr PAECH: If I may be allocated some time to respond, I will provide you with an in-depth response.

We came to government and acknowledged that we wanted to do work and build on justice responses for First Nations people in the Northern Territory. As part of the Aboriginal Justice Agreement, the Aboriginal Justice Unit and the director undertook an enormous number of consultations to have a firsthand response to people in the community and to ensure that what the government was responding to was based on community consultations. I am incredibly proud of the work of Ms Liddle and the Aboriginal Justice Unit did in those consultations that have informed the Aboriginal Justice Agreement. We are continuing to work on and develop those milestones. There is a significant list of Aboriginal Justice Agreement highlights, which we could go through if you are interested.

Mr EDGINGTON: Would you describe any of the current law and justice groups as being fully active at the moment?

Mr PAECH: It depends on your interpretation of 'active'. Everyone engaged is passionate, committed and involved. We have been working with those law and justice groups across the Territory on their responses and how they want to set things up, and making sure that as part of the budget we have the appropriate resources to support them so that they succeed and do not fail.

Mr EDGINGTON: There is \$2.765m for delivery of the Aboriginal Justice Agreement in this year's budget. Could you give a breakdown as to how that money will be spent?

Mr PAECH: There is an amount of \$5.792m in 2022–23 for alternatives to custody, establishing community courts, law and justice groups, the AJA action plan, community-based sentencing, working with the leadership, the Aboriginal Justice Unit and legal policy and coordination.

Mr EDGINGTON: I notice there is money for alternatives to custody in the budget. What alternatives will that money be used to fund? What will the KPIs for those programs be?

Mr PAECH: The alternatives to custody initiative is looking at the expansion of the Alice Springs facility. We have Groote Eylandt, which is anticipated will come online in the fourth quarter of this year. Through the Aboriginal Justice Agreement Governance Committee work being undertaken to look at alternative facilities across the Northern Territory, noting that we would like to have an alternative-to-custody facility for men around domestic and family violence. That work is being undertaken at the moment.

Mr MALEY: In relation to the alternative facilities, some CLP representatives went to Seven Emus earlier this year and people out there told us that there had been no-one there this year. Is that correct?

Mr PAECH: Unfortunately, that is a question that should have been directed to the Minister for Territory Families who has youth justice. My agency deals with the adult justice facilities of which Groote Eylandt will certainly be one.

Mr MALEY: Is there no plan for adults to go to Seven Emus; is it only youth justice?

Mr PAECH: At this stage, yes. We are doing work on identifying additional sites and facilities across the Territory for alternatives to custody. There have been criteria developed and considerations around that.

Mr MALEY: Can you outline the KPIs for the Aboriginal Justice Unit to make sure that these agreements are working?

Mr PAECH: When we talk about the KPIs, it is in regard to the measurable completion rate of an alternative to custody and looking at the rate at which people stay away from the criminal justice system.

The important fact is that we also work in line with Health and Education, so when people come into the alternative-to-custody facility, we have the data to get people working through chronic health conditions.

We have had 28 women complete the Alice Springs Alternative to Custody program. Five are still in residence. We monitor their programs for volunteer work and paid employment. One of the programs is getting people signed up for and participating in the workforce upon their release.

Mr MALEY: Would a KPI be, for example, if there were 28 people that none of those people go back to court? What sort of percentage are you talking about? Does there need to be 50% to meet that KPI or is it just a random figure? If 50% of people go through an alternative to custody and do not go back to the court system, has it worked or has it not worked? Is there a KPI that we can use to measure next year to make sure that it is meeting the KPIs? Is there a set KPI somewhere?

What I am trying to get at is next year when we ask these questions again, we can say the KPIs you set last year were this, so you have or you have not ...

Mr PAECH: I understand the question. We look at the number of people participating in the program and evaluate the number of people who complete the program and go on to conform in civil society. We would look at the completion rate, the successful reintegration into the community and the number of people who would then reappear.

Mr MALEY: What numbers do you think would be successful? Would you say that a 20% completion rate would be considered a successful program, or would it be 50%, 60%, 80%, 90% or 100%?

Mr PAECH: On page 175 in the budget paper the KPIs are outlined. It states that the target for Aboriginal Territorians completing therapeutic programs in alternative-to-custody facilities is around 80%.

Mr EDGINGTON: Who makes the final decision where a law and justice group will be established? Is that a decision that you make personally?

Mr PAECH: When we look at law and justice group establishment, we acknowledge that it has to be something the community is willing to participate in, otherwise it will not be successful. We also look at the data on where there are potential—where the data shows us a number of people are appearing before the justice system from that community.

That work is done with the community first to see whether there is interest in a law and justice group and whether they want to continue and have those conversations. Ultimately they will say yes, and then develop their terms of reference on how they will select their community members. It then needs to come through the Attorney-General's department where we need to make sure it is in line. Then we can provide the local community court circuit to that community.

It has to be based on population and numbers. Establishing a community court, for instance, in a community where the number of appearances before the Local Court is next to none would not be a valuable use of government resources.

Mr EDGINGTON: There is obviously a lot of assessment that needs to be done but who makes that final decision? Is it you?

Mr PAECH: The short answer is yes; however, it is ultimately the decision of the community to establish a law and justice group. We then work through that to make sure we can provide a community court circuit there.

Mr EDGINGTON: The information comes from the community through the department with recommendations, and you make the final decision as to whether it will go ahead.

Mr PAECH: I make the decision on whether there can be one. The community then determines—we work through them and the Aboriginal Justice Agreement Governance Committee on who the members are.

Mr EDGINGTON: But you need to make that decision in accordance with the budget you have; is that right?

Mr PAECH: That is correct.

Mr EDGINGTON: Have you spoken to any other communities personally about whether they should have a law and justice group?

Mr PAECH: It is important to acknowledge that through the consultations that were done by the Aboriginal Justice Unit, there is an eagerness there. A lot of communities are waiting to see how successful some of the other law and justice groups we are proceeding—which are well progressed—are. We will consider that.

As more communities highlight that, whether it is highlighting it directly through the Aboriginal Justice Unit or through people making appearances to the department and to me, as the minister, we will consider that.

It is also a consideration that may arise through Minister Uibo's local decision-making agreements and people highlighting that. If they do, we will work with them. We will then have the Aboriginal Justice Unit do some work in that community to understand what their interpretation of the law and justice group.

Mr EDGINGTON: Some communities have been waiting since 2005 when your government scrapped the law and justice strategy. How long does it take for that community to raise the issue and for you to make a final decision on whether a law and justice group will be established in the community?

Mr PAECH: It is important to acknowledge that we will work with any community that comes forward with an interest in establishing one to make sure there is capacity and willingness for the entire community to be supportive of the process. We would then work with them on those considerations in regard to how that group can be supported. We would then look at the court circuits as well. This can be achieved through local decision-making agreements.

Mr BROWN: You mentioned earlier the Nja-marleya law and justice group of Maningrida. That group consists of eight different clans and about 10 different languages. Is it safe to say that community will accommodate the neighbouring communities in regard to the courts?

Mr PAECH: We work with the law and justice groups and the community court circuits, particularly with the Nja-marleya group, which is a comprehensive group made up of 18 clan groups and representative of the

region. We have been doing the work to ensure they are included and families from the surrounding homelands are aware of the work, because they are represented by the clan groups. We are very well progressed and are working through the Nja-marleya group.

The National Indigenous Australians Agency has also been doing work with the leadership group in that community to make sure we direct all our resources to support and establish that group.

Mr CHAIR: That concludes consideration of Output 1.5 and Output Group 1.0.

The committee suspended.

OUTPUT GROUP 2.0 – CORRECTIONAL SERVICES

Output 2.1 – Custodial Services

Mr CHAIR: The committee will now move onto Output Group 2.0, Correctional Services, Output 2.1, Custodial Services. Are there any questions?

Mr EDGINGTON: What are the prisoner numbers in each of the correctional facilities at the moment?

Mr PAECH: That is an operational matter. I will hand over to the Northern Territory Corrections Commissioner. He is the greatest commissioner there is.

Mr VARLEY: As of this morning—I track these things closely—there are 2,093 prisoners in custody across the Northern Territory. Are you asking for breakdowns by facility?

Mr EDGINGTON: Yes, please.

Mr VARLEY: In Darwin we have 1,270 prisoners at the Darwin correctional facility, 654 prisoners in Alice Springs, 73 at the Barkly Work Camp, 49 at the Datjala Work Camp and 40 prisoners at the Darwin police prison—otherwise known as the watch house.

Mr EDGINGTON: How many in prison?

Mr VARLEY: The Darwin police prison is our operating name for the watch house while it is under our control. It is an extension of the Darwin facility. In town we have 40 prisoners at the Darwin watch house.

Mr EDGINGTON: Can you tell me the capacity of each of those facilities?

Mr VARLEY: The capacity for the Darwin Correctional Centre currently sits at 1,300. The Alice Springs Correctional Centre has operational capacity to flex up to 680 as required. The Barkly Work Camp capacity is 74. The Datjala Work Camp is 50. The Darwin watch house is 40.

Mr EDGINGTON: In regard to the watch house in Darwin, who is staffing it at the moment?

Mr PAECH: It is important to acknowledge that it is staffed by Northern Territory Correctional Services; we do not use police resources.

Mr EDGINGTON: I suspect the police watch house is an additional facility, above normal facilities. How many staff are engaged in managing prisoners at the Darwin watch house?

Mr VARLEY: The answer is five officers during the day and four at night.

Mr EDGINGTON: When it comes to facilities for prisoners, I gather there is quite a difference in the way prisoners are managed in the Darwin prison versus the Darwin watch house. Can you tell me what those differences might be?

Mr VARLEY: There is a number of differences. It is self-explanatory that the watch house is built and configured as a police operational watch house. It is on loan to us, courtesy of the Northern Territory Police Force. We thank them for that.

It was established in March as a surge or overflow facility, if you like, to address some of the rising prisoner pressures we are experiencing across the Territory—and that is not new.

We conducted an extensive assessment of that facility to make sure it was fit for our purposes. That involved making sure we could accommodate the right number of prisoners. We set that quota at 40 based on the expertise and advice of my senior leaders and in consultation with staff and our unions.

We also made a number of adjustments to the facility's amenities so that we could accommodate prisoners on a cycle. Prisoners who are selected to go there are specially screened and chosen. They go through a number of checks and balances for their rotation or their pre-release custody at the watch house. Generally speaking, they are lower security prisoners who we have identified as coming to the end of their sentence—within the next 14 days or a short time thereafter. We generally rotate them for periods of two weeks unless they are to be released.

We have also installed a number of things like exercise and sports equipment and recreational activities. We have provided them with specialised supplementary food packs at no extra cost to keep things amenable in the facility. We provide them additional free mail services and those sorts of things to stay in touch with loved ones.

Overall, the facility is well maintained. It meets the right standards for us to manage prisoners in there. The significant difference is it operates as a remote satellite of the Darwin Correctional Centre. We have to manage it carefully and make sure people do not stay too long.

Mr EDGINGTON: What is the design capacity of each prison under your control?

Mr VARLEY: The design is a different question, Member for Barkly. The design capacity for prisons has been established over time. The design capacity for the Darwin Correctional Centre originally, from memory, was 1,048. That has been increased over time, through successive works, to the current capacity of 1,300.

The original design capacity for Alice Springs—this is on the record—from memory, many years ago was 480 or thereabouts. Over time that has been increased now to that 650, plus we have an additional surge capacity up to 680 at the moment, in consultation with management, the staff and unions.

Mr EDGINGTON: What about the Barkly Work Camp and Datjala?

Mr VARLEY: I believe those capacities have not changed. They are 74 and 50 respectively.

Mr MALEY: You mentioned that the Darwin watch house is on loan. Are you paying rent or any sort of reimbursement to the police for that facility?

Mr PAECH: No, we are not.

Mr MALEY: If you are a prisoner in the Darwin watch house and are there for up to 14 days, are you allowed visitors? Are there any personal visits there?

Mr PAECH: We try to rotate. We keep no-one there any longer than 14 days. Prisoners have access to phone calls and visits to assist with legal matters and throughcare.

Mr MALEY: If you are a friend or family member of someone in the watch house, can you visit that person?

Mr PAECH: As that is an operational matter, I would need to ask the commissioner. I am aware they have access to phone calls.

Mr VARLEY: No, we do not allow personal visits to the watch house facility. It is configured as a police watch house inside a police operating station. That comes with its own level of security overlay. The prisoners we select to go there are screened and understand that issue before they rotate to the watch house.

Mr MALEY: Since you have the premises on loan, can the police use it for watch house purposes, for bringing people in they have arrested for processing? Or do you have exclusive use of that area?

Mr VARLEY: For the Darwin city watch house as it currently stands, no. We have exclusive control and custody of that facility. It has been transitioned to us as a gazetted correctional establishment.

Mr MALEY: How long has it been gazetted to you as a correctional establishment? How long have you had it for?

Mr VARLEY: That is a standing gazette that has been in place for quite some time. It is not time limited.

Mr MALEY: I will rephrase. When did you get exclusive control over it?

Mr PAECH: We would have opened that on 17 March 2023, with 23 prisoners being accommodated.

Mr MALEY: Before March this year it was used as a watch house but now it is exclusive ...

Mr PAECH: It has a varying role. There is a gazettal in place, which allows us to use it. That has been in place for some time, but when we do not use it and it is available, the police work with us.

Mr MALEY: When was it last available for police to use?

Mr PAECH: That would be a question for the Northern Territory Police minister.

Mr MALEY: When was the last time Corrections allowed it to be used for police purposes?

Mr PAECH: It is important to highlight that we have used the facility since 17 March this year. When it is not being used by Northern Territory Correctional Services, that would be a matter for the Police minister.

Mr MALEY: Have you used it prior to 17 March this year as a correctional facility?

Mr VARLEY: No, not in my time. It has been long gazetted as a correctional establishment. That is not to say that perhaps, over the years, it has not been used for custodial purposes at some point. I do not profess to know ancient history; however, I point out that most of the police watch houses around the Northern Territory are also similarly gazetted so that when we need to hold a prisoner in a remote location, such as the Barkly, they are covered.

Mr MALEY: When does your exclusive use agreement run out?

Mr PAECH: It would be based on population and demand pressures.

Mrs LAMBLEY: The acting Police Commissioner told us last week that it expires in July, which can be extended. Will it be extended, do you think?

Mr PAECH: We will continue to work on demand and pressures, and try our best to forecast based on previous incarceration numbers at particular times of the year. It will be a matter we need to consult police on, but at this stage it will cease at that point. If we do not have the population, or if there is a substantial number of beds available in correctional centres, we would not look to extend that.

I will ask the commissioner to provide any additional commentary on that.

Mr VARLEY: I will work closely with police—I work closely with them all the time anyway, as you would expect—to manage the population pressures not only on Correctional Services, but the work police bring to us. We consult several times a week. As that facility needs to be maintained or otherwise, we will continue to negotiate with police.

Mrs LAMBLEY: How many toilets and showers are available to those 40 prisoners in the Darwin watch house?

Mr VARLEY: Off the top of my head, I have been in there myself ...

Mr PAECH: Not as a prisoner.

Mr MALEY: What were you charged with!

Mr VARLEY: I can assure you I have not had showers in there!

I have been there, though. From memory, there are at least three to four shower cubicles in the watch house. There are two wings and at the end of each wing there are shower cubicles and toilets.

Mrs LAMBLEY: Is that sufficient? I have been told anecdotally that it is a problem as the Darwin watch house is not ideally set up for prisoners. I know it was a problem in Alice Springs.

Mr PAECH: In relation to the Darwin watch house, which we use as a correctional facility at times, given the nature of the population there and the staffing available, we can schedule when people are able to use the facilities for a shower, more than we would in the main centres across the Northern Territory. We have to appropriately resource with staff to accommodate a schedule of people's allocated time to have a shower.

Mrs LAMBLEY: Is that to go to the toilet too?

Mr PAECH: I imagine when you have to go, you have to go.

Mrs LAMBLEY: I am told that is the problem; the shuffling in and out of the watch house cells to take people to the toilet is time-consuming and onerous. I guess there are ways and means around it.

Mr PAECH: It is managed by Correctional Services. We can work with correctional staff in the Darwin facility to escort the person to the bathroom, and similarly with the Alice Springs facility. The commissioner will talk today about the investments being made across the Northern Territory Correctional Services in infrastructure.

Mrs LAMBLEY: What is a supplementary food pack? Is that extra food?

Mr PAECH: Yes.

Mrs LAMBLEY: Is that to keep them happy?

Mr PAECH: The commissioner will talk in more detail, but a supplementary food pack is in recognition that we are not in a prison environment as such where we have the kitchen on the premises and the food is catered. Some people's dietary needs or servings may need to be larger than what has been contracted to be provided.

Mr MALEY: How many cells are at the Darwin watch house and how many prisoners per cell?

Mr PAECH: That is an operational question and I will direct that to the Corrections Commissioner.

Mr VARLEY: I do not know the exact number of cells at the watch house. There are some cells that are not in use by us and some that are larger than others. Some cells are multi-prisoner. They are larger cells that have the capacity to house a number of prisoners. There are some that are smaller and there are some that are interjoined. I am not trying to be tricky, but there is a variety of cells.

We have managed the capacity in each of those cells based on the expert assessment of our prison officers and the managers involved in setting up the SOP for the correctional centre to transition to the watch house. That is why we have set that number at 40.

As for the exact cell breakdown, it likely changes per day because we move prisoners around, depending on groups and configurations of security and other issues. That is a daily management issue for prisoners inside a custodial environment.

Mr MALEY: For people in the Darwin watch house, can they go out for some sunshine?

Mr VARLEY: There is not an outdoor sunshine exercise area as such. We have access to a fenced exercise yard that has fresh air. Those of you who know where the Darwin police watch house is also know that it is part of a much bigger building and we are limited to where we can take the prisoners outside. This is part of our consideration in making sure people rotate regularly or they are subject to a release period inside their time.

Mr EDGINGTON: Are there any females occupying the Darwin watch house at this time?

Mr PAECH: No, the Darwin watch house is exclusively for men. We have female facilities in Darwin and Alice Springs Correctional Centres.

Mr EDGINGTON: Are the showers and toilets separate from the cells where the prisoners are being held?

Mr PAECH: In which?

Mr EDINGTON: In the watch house.

Mr PAECH: In the watch house they would be separate. The shower is not in with the toilet.

Mr EDINGTON: Can you confirm that the shower block is a separate part of the watch house? Is it included in the cells or is there a separate shower area?

Mr PAECH: My apologies; it is still within the wing of the watch house.

Mr EDINGTON: In the cell or is there a separate shower block?

Mr PAECH: There is a separate shower. We would escort the person within the wing of the watch house to the bathroom.

Mr EDINGTON: What is the average time out of the cells for prisoners during the last 12 months across the board?

Mr PAECH: The Northern Territory is above average in our time over the last 12 months for offenders out of their cells. The time out of cells per day is an average of 11.7 hours per day and for our open classification it is 8.7 for secure.

Mr EDINGTON: What is the average time out of the cells at the Darwin watch house at the moment?

Mr PAECH: That is an operational matter. I will hand to the Northern Territory Correctional Services Commissioner.

Mr VARLEY: I do not think I have the exact number for Darwin. The cells are secured at night-time when people go to bed. They are opened in the morning for roll call, health checks and other things. Generally speaking, the cells remain open and prisoners remain free to move within the wing throughout the remainder of the day.

Mr EDINGTON: Going back to the average time out of cells, which the minister said was 11.7 hours per day, does that include being outside in fresh air or does it include being in the building somewhere outside their cells. How is it measured?

Mr PAECH: I will refer to the Corrections Commissioner, but it is my understanding that those hours are the hours recorded that the individual is out of the cell.

Mr EDINGTON: Where would that individual be?

Mr PAECH: It could be in any area of the prison. It may be out in the open yard, participating in programs or sitting in the common area in the correctional block facilities.

Mr EDINGTON: Given the arrangements at the Darwin watch house, what is the average time out of the cells at the Darwin watch house compared with the overall average of 11.7 hours per day for prisoners across the board?

Mr PAECH: I am happy to take that on notice.

Question on Notice No 6.8

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDINGTON: The average time a prisoner is out of the cells across the board is 11.7 hours per day. What is the average time a prisoner is out of their cell at the Darwin watch house?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.8.

Mr EDGINGTON: We talked about design capacity, and you gave us the design capacity for Darwin of 1,048. How long has it been operating over that design capacity?

Mr PAECH: Are you referring to the original design capacity?

Mr EDGINGTON: Yes.

Mr PAECH: I will hand over to the Northern Territory Corrections Commissioner. It has been operational like that for some time. There are appropriate steps when looking at increasing the design or operational capacity. We would often engage with engineers to ensure that it is done accordingly and appropriately. We look at the existing resources, and any additional infrastructure that we do on site has the ability to be supported by the infrastructure.

Mr VARLEY: I would have to check for you the exact dates for when capacity increments occurred. The design capacity for Darwin Correctional Centre of 1,048 was done some 10 years ago. The facility has been open since 2014. There have been incremental adjustments since that time. When I commenced as commissioner about 15-odd months ago, the capacity that we worked to was, from memory, 1,174. Then we worked to increase that to the 1,250 model.

Mrs LAMBLEY: What was the original design capacity for Alice Springs?

Mr VARLEY: It is 476.

Mr EDGINGTON: When we talk about the design capacity at the Darwin prison and when you say that the capacity has increased, is it the same style of accommodation for prisoners that has increased?

Mr VARLEY: The capacity has been added in to essentially existing infrastructure by upgrading, converting or adjusting buildings, dorms or blocks to accommodate additional beds.

Mr PAECH: In addition to that, the level of amenity is consistent with the level of amenity for the existing blocks. No-one gets a better facility or a better bed than what exists; it is all the same level of amenity. We work with engineers on making sure that it is appropriately designed for a correctional environment and that it is consistent with the existing infrastructure.

Mr EDGINGTON: What has been changed? Have storerooms, kitchens or recreation areas been converted now? How have you met that new capacity?

Mr PAECH: There has been a staged approach. We have looked at dorms regarding the installation of bunk beds. We have also looked at existing facilities across correctional facilities of where we could implement new accommodation. That work is ongoing. In the budget there is additional money to look at accommodation options in all correctional facilities.

Mr EDGINGTON: What facilities have you done away with to increase the capacity for prisoners at the Darwin prison?

Mr PAECH: That is an operational question. I will ask the Northern Territory Correctional Services Commissioner to respond. It is my understanding that there have been some facilities, like the relocation of gyms or so forth, to accommodate for that growth.

Mr VARLEY: Most recently there was an additional 30 beds created in a recreation therapy building that was relatively unused inside the Complex Behaviour Unit confines. We have converted rooms there to bunk rooms, accommodating up to 30 prisoners. We have added an additional 20 bunks into the sector 11 cottages that were essentially single rooms that we have upgraded to twins. That is 50 beds that we have added on since the start of the year.

Over time, though, as you know and has been previously reported, there have been additional bunks and beds installed in blocks of sector six, which is the medium-to-low-security cottage accommodation at Darwin Correctional Centre. I make the point that all the adjustments we do at the Darwin Correctional Centre are done in consultation with the public-private partnership provider because it is operating under a PPP. We do

that in consultation with them as the building provider and with the right engineering, security, ventilation and other assessments to make sure that we are meeting the right design and capacity standards.

Mr EDGINGTON: What has been the cost to NT Corrections to increase the design capacity at the Darwin prison?

Mr VARLEY: Excuse me, the ...

Mr EDGINGTON: You just said that you have increased 30 beds. There has been work done there, engineering and all sorts of things. What has the cost been to Northern Territory Corrections to increase the capacity at the prison?

Mr PAECH: In the Northern Territory budget, you will see that there was money committed to demand pressures. That is money that is utilised to accommodate those designs.

Mr EDGINGTON: How much is being committed to that?

Mr VARLEY: In relation to the 50 bunks that I just mentioned, I can advise that the bunks were constructed internally through our industries group. Prisoner and officer labour oversaw the installation of those, so the cost is relatively marginal.

In relation to the cost of other reports and engineering assessments, I need to take the question on notice.

Mr EDGINGTON: I want to include the cost of materials in that as well.

Question on Notice No 6.9

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: What has been the overall cost incurred by Northern Territory Correctional Services to increase capacity at the Darwin Correctional Centre, including engineering, consultancy reports, labour and materials?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.9.

Mr MALEY: The budget books indicate that custodial services have been cut from \$227m to \$226m; that has been revised. There is a million-dollar cut. There has been no increase in budget. What services or facilities have been cut or slashed to allow for the decrease in budget, considering the extra cost of the watch house as well as the expense of at least 50 new beds? A lot of money is being spent on additional services, yet there has been a cut to the budget. Can you tell us what services have been cut to manage the cut to your budget?

Mr PAECH: There has been a record investment, particularly during my time as the minister for Correctional Services. The figures that you are quoting relate to a \$1.548m reduction due to the carryover of one-off EBA bonus funding for Correctional Services staff to 2022–23. There is a \$500,000 reduction due to carryover of funding from 2021–22 to 2022–23 to the correctional services reform project. There is a \$365,000 reduction to one-off reimbursement through the COVID-19 Response National Partnership Agreement for 50% of COVID-related costs.

Mr EDGINGTON: In regard to the increased capacity at the Darwin prison—we did not go into the detail, but at the Alice Springs prison as well—can you advise whether all those new prisoner or housing arrangements comply with the building and fire safety code?

Mr PAECH: In which facility?

Mr EDGINGTON: In the Darwin and Alice Springs facilities.

Mr PAECH: As an operational area of government, it is Northern Territory Correctional Services' role and responsibility to comply with all the relevant legislation and the planning and work safety regulations. All the work being carried out is done in consultation with and recognition of the legislation that we must work within. All those checks and balances are considered in Darwin, Alice Springs, Datjala and Barkly.

Mr EDGINGTON: Have all those new works been certified by the fire service?

Mr PAECH: As a requirement in the *Planning Act*, all the works that will be carried out have to be considered and have occupancy arrangements in place. For the arrangements in Alice Springs, once that infrastructure is developed, installed and delivered, it will also have to undergo all the assessments before we are able to have it accommodated by inmates.

Mr EDGINGTON: Has the work completed at the Darwin and Alice Springs prisons been certified by the fire service with regard to the building and fire safety code?

Mr PAECH: As we engage all the architects and the operational capacity and design, we have trained staff in the Northern Territory Correctional Services who make sure that we are meeting all our compliance arrangements.

Mr EDGINGTON: Has it been certified?

Mr PAECH: It is my understanding, yes, it has.

Mrs LAMBLEY: Going back to the use of the Darwin watch house, I think I heard the commissioner say there are nine officers rostered on each shift. Is that right?

Mr VARLEY: I said five during the day and four at night.

Mrs LAMBLEY: That is a high prisoner/staff ratio. How does that compare with the prisoner/staff ratios in the main prisons?

Mr PAECH: The ratio would be higher in nature, given that the environment in which we are working is a controlled environment in the correctional centres across the Northern Territory—namely, Alice Springs and Darwin. There are larger facilities, but there are additional correctional support staff within a confined environment to offer assistance if it is needed. I am happy to ask the commissioner whether he wants to make additional comments. That is in recognition of the Darwin watch house—or as we would refer to it, a correctional facility—being a small, isolated watch house that is not in the vicinity of the larger staffing.

Mrs LAMBLEY: Have you failed to plan for capacity within our prisons in order to keep Territorians safe?

Mr PAECH: I acknowledge that I have had the role of the Northern Territory Correctional Services minister and the Attorney-General for just over 12 months now. During that time, I have worked very closely with the Northern Territory Corrections Commissioner to make sure that we are looking at projected growth and addressing the infrastructure needs of the correctional centres. You will see that particularly with the budget this year. We are responding to demand pressures and looking at bringing online additional accommodation and capacity across the Northern Territory Correctional Services' footprint.

Mrs LAMBLEY: By allowing crime to escalate out of control, you clearly have taken your eye off the ball in building capacity within our prisons. You have put the prison staff, our prison officers, in a compromised situation. I hear constant stories of prison officers working huge amounts of overtime. They are stressed and unhappy and the system is at breaking point. You did not plan for the increase in crime, although you allowed it to happen. You have not planned for the burgeoning increase in demand for prisoner beds ...

Mr CHAIR: Is there a question, Member for Araluen, under Standing Order 109?

Mrs LAMBLEY: I am asking a question. Whenever I ask a question you do not like, you interrupt.

Mr CHAIR: It is argumentative.

Mrs LAMBLEY: Are you not putting all the prisoner officers in the NT at risk by your lack of planning and forethought?

Mr PAECH: In the correctional facilities across the Northern Territory, the budget highlights and indicates the work that has been done over the previous 12 months. In my time as the Corrections minister, we have done work on intensive planning and where additional accommodation options in the correctional facilities can be turned over and on.

We have rolled out, and are continuing to roll out, a rigorous employment strategy to engage additional staff in the correctional environment, which is important. I acknowledge we have worked through a number of enterprise bargaining agreements and are now continuing with a huge reform piece for Northern Territory Correctional Services. That goes to your point and factors in demand pressures and the infrastructure investments across the Northern Territory Correctional Services' footprint.

Mr MALEY: In relation to the increased capacity, are there any mattresses on the ground in the prison?

Mr PAECH: There has been substantial work to ensure all inmates in correctional centres have bedding facilities.

Mr MALEY: Do bedding facilities include a mattress on the ground? Are there any prisoners sleeping on mattresses on the ground?

Mr PAECH: To my knowledge there are no prisoners sleeping on mattresses. There has been substantial work to date. There may have been at times, but as of today, my understanding is that all inmates are on beds.

Mr MALEY: Can we ask the commissioner? If that is your understanding, you obviously do not know. Can the commissioner confirm whether your understanding is correct?

Mr PAECH: Absolutely. I am happy for the commissioner to provide that.

Mr VARLEY: For clarification and to assist the committee and the minister, we have been working very hard—as I have been on the record saying—to manage the issue of mattresses on floors. We have been manufacturing and installing new bedframes in the Darwin Correctional Centre and the Complex Behaviour Unit, as well as the sector 11 reintegration facility out the front.

We still have people on mattresses on the floor, unfortunately. That is because we had to work quickly to manage the installation of bedframes into the priority expansion areas I mentioned earlier. We had mattress bedframes completed and ready for installation, but I redirected those to some of those new sectors so that I could expand capacity. As of right now, we are installing 40 more bedframes into sector six, which should be ready by 2 July, I estimate.

Mr MALEY: Last night, how many prisoners slept on mattresses on the floor?

Mr VARLEY: I would need to confirm that information for you. The reason is that it is a rolling installation program that my industry officers and prison managers are working on progressively. As those bedframes are manufactured, we are installing them on a rolling basis.

Mr MALEY: Maybe last night was too soon, but can you give us the figure for last week?

Mr VARLEY: I do not have the detail on that. What I can say is the bedframes are currently being installed and manufactured. As those roll out over the days and weeks, it depends on the operational tempo of the prison and on the availability of staff and prisoners to work on the installation.

Mr MALEY: How long have prisoners been sleeping on mattresses on the floor, to your knowledge?

Mr PAECH: I might provide some context on this matter. There is the capacity number, as was highlighted, and prison numbers fluctuate on a number of variables. It could be in relation to policy settings, police operations and so forth. In terms of an overall snapshot, at times it would depend on the number and the surging within the correctional environment as to how many people at any given time.

Mr MALEY: I understand and accept that, but you said earlier that you understood there were no mattresses, and we found out there were.

Mr PAECH: A point of clarification—at the time I walked through the correctional facility on my regular routine visits, there were no mattresses on floors. That number fluctuates and, at times, inmates may be on

a mattress on the floor while we work through our investment in prison industries putting in bedding infrastructure.

Mr MALEY: I accept you got it wrong. How long have prisoners been sleeping on mattresses on the floor?

Mr PAECH: It is a variable number.

Mr MALEY: How long have operational requirements been there to allow for prisoners to sleep on mattresses on the floor?

Mr PAECH: Again, that is a variable number. Unless you would like particular information, you would have to give an exact date, of which we would do an assessment of what was there.

Mr YAN: To clarify and to make it simpler for you, as at Monday 19 June, how many prisoners did not have a bed allocation and were required to sleep on a mattress on the floor?

Mr PAECH: That is an operational question. I would not be privy to that information; it would be a response for the commissioner.

Mr YAN: I am happy to put the question on notice.

Mr PAECH: I would like to hand to the commissioner first and award him the opportunity.

Mr VARLEY: The answer to that is inexact because I would need to go back and count exactly, as you would understand, where those people were allocated into which block and which reception area and other things. I think when people talk about mattresses on the floor, predominantly people are talking about the sector six area at Darwin Correctional Centre where there were a number of mattresses installed as a surge capacity measure in 2021. It was before my time during the COVID era.

We have worked progressively to manage the upgrade of that facility to address the occupancy, ventilation and other things that go along with making sure we can establish bedframes as well as with the PPP provider.

Mrs LAMBLEY: Minister, this raises another issue ...

Mr CHAIR: Sorry, Member for Araluen; the commissioner is still talking.

Mr VARLEY: As you would expect, the way in which my officers manage the facility on a daily basis—people can move from room to room and block to block—sometimes there can be an adjustment, which is why I am wary of giving you an exact number. If you would like me to count that number on a date, I am happy to take that question on notice.

Mr YAN: I understand the difficulty, which is why I gave a specific date and point in time. I know that they will have to calculate that date. I am happy to take that on notice.

Question on Notice No 6.10

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: As at 19 June, can you please advise how many prisoners had unallocated beds and were required to sleep on mattresses on the floor for all correctional centres?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 6.10.

Mrs LAMBLEY: This raises another interesting issue. Years ago prison industries were making beds. They made all the beds and probably still do for our prisons. What you are saying is that prison industries are not keeping up with the demand for physical beds. Why is that so? I went to the Alice Springs prison about

six months ago, and clearly there was nothing happening within our prison industries. To hear that the prison industries are not even meeting their own demand for beds is alarming and disappointing.

Years ago under the former CLP government, prison industries were booming. You could go into that section of the Alice Springs prison and things were pumping. There was a bakery, metalwork, woodwork, printing and a variety of different industries active. From what I am hearing today, prison industries has slumped to the point where the prisons cannot keep up with their own demand for beds. Is that correct?

Mr PAECH: No, that is incorrect. When we talk about prison industries, we are talking about specialised officers as well who need the appropriate training and qualification to deliver the relevant project. They also have to comply with their roster arrangements. There are prison industries across the Northern Territory, but we need to be mindful of when they start, are rostered on or when they take leave—a whole range of matters.

There is no denying that we have had prison lockdowns. We have been going through a range of matters that have resulted in those lockdowns, which, in turn, have paused the prison industries to be able to complete those roles. Prison industries are still occurring. The development and prison industries are still being utilised to make the bedding infrastructure for that.

The Northern Territory Correctional Services Commissioner is aware and has been doing work on scaling up prison industries and, importantly, looking at what is currently not a prison industry that we would like to look at bringing online as a prison industry. Part of that is working through and acknowledging that for particular industries, we need qualified people to do the work. We are actively looking at how we attract and get them into the Northern Territory Correctional Services workforce across the Territory.

Mrs LAMBLEY: I think the truth of the matter is that our prisons are so overwhelmed with the number of prisoners coming through the door and you are so short-staffed that you simply do not have the capacity to take people out the prisons and engage them in prison industries. That is what I am hearing on the ground from your prison officers. To spin it in any other way is not true.

The current trajectory of demand for beds in our prisons is obviously very high. What modelling have you done to measure the future need, over the next five to 10 years, for beds within NT prisons? You have given a figure for Darwin prison, which was opened in 2014, and the capacity has gone from about 1,000 to 1,300. In another 10 years, what will be the demand for our beds, given the escalating rate of crime in the Territory? Surely you are doing modelling and looking at future demand for beds. Capacity is not keeping up with demand. You are failing your job! What sort of modelling are you doing on this trajectory for increasing demand for prison beds?

Mr CHAIR: The minister will want to answer the question, but I remind everyone of Standing Order 109; argumentative influences.

Mrs LAMBLEY: Mr Chair, I am stating the facts, whether the minister likes it or not. Obviously you are a member of the government, so you do not like to hear that the minister has failed and the government has failed, but that is the truth. Ask the prison officers who are employed in our prisons.

Mr CHAIR: We do this every day when the media comes in. As soon as the media come in, you grandstand. All I am asking is that there are no inferences and for it not to be argumentative.

Mrs LAMBLEY: It happens to be a hot topic at the moment. I do not put on a performance for anyone. You are trying to gag debate.

Mr CHAIR: I said the minister will answer the question. You need to follow Standing Order 109.

Mrs LAMBLEY: Our prisons are a mess.

Mr CHAIR: Rightly so you can ask the question, but it does not need to be argumentative. People are watching and they want you to ask the tough questions, but ask them without the grandstanding.

Mrs LAMBLEY: They want me to get emotional on the subjects they feel emotional about and this is one of them.

Mr PAECH: I am invested in the Northern Territory Correctional Services reform. We have a strategic plan, Forward Together. As a former employee of the Northern Territory Correctional Services, I acknowledge the phenomenal work that our Correctional Services officers do day in, day out. I meet with the Northern Territory

Correctional Services' associations regularly and work through the planning for infrastructure and the master planning. The Northern Territory Correctional Services Commissioner can talk about the master plan in line with the Northern Territory Correctional Services reform that I am driving.

I came into this role just over 12 months ago and to date have invested heavily and will continue to do so because I believe in the Northern Territory Correctional Services and I know it can make the biggest difference in peoples' lives in the Northern Territory. We are doing that through our Forward Together plan and the master plan. That can be seen in the infrastructure investments in the budget. We are working through the demand pressures.

I will pass to the Northern Territory Correctional Services Commissioner.

Mr VARLEY: I am not sure which part of the question you would like me to address. Is it the infrastructure master plan?

Mr PAECH: Yes.

Mr VARLEY: At present we are working on a government instruction to develop an infrastructure master plan for NT Correctional Services, which includes options for future development at Darwin, Alice Springs, our work camps and beyond. As you would appreciate, we need to consider carefully the economies of scale that would go along with where we can best leverage extra footprint for our existing sites. We recently announced an expansion option for Alice Springs Correctional Centre, with an 80-bed new facility to be built at the back of the G block area.

There is a number of options and development works that I am undertaking in consultation with the Department of Infrastructure, Planning and Logistics. We have some professional assistance, as well as the PPP provider, looking at a range of options. My job will be to come back to the minister and government with a plan in the months ahead.

Mrs LAMBLEY: Is there modelling done for five to 10 years' time? Is that what the master plan will be?

Mr VARLEY: We look at statistical projections. I work very closely with the department's statistics unit on that. It produces data that extrapolates existing prison numbers, but it is only as good as the data that is in the system right now. That means it is a projection based on historical numbers. It is a mathematical extrapolation. It does not take into account things that might change in terms of legal policy, legislation or social issues. It is a simple mathematical projection. It is one factor that I look at as part of that planning.

My job is to make sure that as the master plan progresses, not only can the government make wise investment decisions, but we also build in capacity for the future for those expansion needs as they progress. That is why we are also investing in things like bail support accommodation or alternatives to custody. Personally, I would like to see more people in alternatives to custody as well as prisons because we need to make sure there is a mix of options available. Prison capacity is but one part of the broader equation.

Mr EDGINGTON: Given that there are prisoners sleeping on mattresses on the floor, does that comply with the building and fire safety code?

Mr PAECH: Those considerations are taken into account when we assess where the mattresses may need to go to ensure that there is the appropriate evacuation access.

Mr MALEY: The commissioner mentioned earlier about using reception, can you expand on that? Was the commissioner saying that people are staying in reception overnight? Is there any bedding in reception?

Mr PAECH: Just to clarify, are you referring to reception in the correctional environment?

Mr MALEY: I am not sure. I am just picking up on something that the commissioner mentioned a few minutes ago. He said that prisoners were staying in reception or using reception. I am not sure of the exact words, but I inferred that they were using reception. I am not sure what that reception area is. I have only ever been to the visitors area at the prison, so I do not know. Maybe the commissioner could expand on what he was talking about. I am just picking up on something he said about using reception. What is reception? Is there bedding in reception? How many prisoners stay in reception?

Mr PAECH: I can aim to get you to prison one day, if you would like.

Mr MALEY: I have been there.

Mr PAECH: Reception is a unit or a division of the Northern Territory Correctional Services. The commissioner can highlight what reception is and how it works.

Mr VARLEY: The reception unit is an area of the prison that is essentially the intake area. For example, at Darwin Correctional Centre, when prisoners come to us throughout the course of the day or at the end of the day from court, we have a reception intake process that has a number of steps through it. It is a screening process for new prisoners or new receptions. Depending on the speed of that process and the allocation of prisoners into the later accommodation blocks, prisoners can stay overnight in reception. That is not uncommon and has been in place for a long time.

I qualified my answer earlier because the capacity of reception and how many prisoners we might receive each day might determine whether we need to have people on a mattress on a floor in a cell. There is a limit to exactly how many people we would hold in reception, based on the number of staff that we have available.

I imagine your next question will be: what is the limit? I would need to check that. Off the top of my head, I cannot remember.

Mr MALEY: Could we take that on notice? You are saying that people stay in reception overnight.

Mr VARLEY: Yes, they do.

Mr MALEY: What bedding is available for those people?

Mr VARLEY: Forgive my lack of technical expertise here. There is a number of reception cells and blocks. I have been there. It is a wing with a number of cells. I cannot recall how many. Some are singles and there are multi-prisoner cells. It depends on the security configuration and assessment of the prisoner. Some people are more high needs than others. Some might be isolated and some not. Our staff judge that based on their operating models and their best professional expertise each day.

Mr MALEY: Do the people who stay in reception have a bed?

Mr VARLEY: Generally, yes.

Mr CHAIR: Do you want the question on notice?

Mr MALEY: I think we covered that.

Mr EDGINGTON: If an OPCAT inspection was done of the Darwin and Alice Springs prisons at the moment, would it pass the test with prisoners sleeping on mattresses on the floor?

Mr PAECH: Under Standing Order 109, it is a hypothetical. The OPCAT legislation has not commenced yet.

Mr EDGINGTON: Are you comfortable with the standard of care being provided to prisoners sleeping on mattresses on the floor?

Mr PAECH: I was very open and accountable when the United Nations committee came here for OPCAT. I made sure that all Northern Territory places of detention were open for it to inspect when it came. I continue to welcome it to come as it sees necessary or appropriate.

Mr EDGINGTON: Did it inspect the Darwin prison?

Mr PAECH: My understanding is yes.

Mr EDGINGTON: It did?

Mr PAECH: Yes.

Mr EDGINGTON: What was the outcome of that inspection?

Mr PAECH: Unfortunately, due to the nature of other Australian jurisdictions denying access to those facilities, that report was never finalised. It came to the Northern Territory and came into our facilities.

Mr EDGINGTON: When was that?

Mr PAECH: That would have been late last year.

Mrs LAMBLEY: It might have been horrified; you do not know.

Mr EDGINGTON: Is the report available?

Mr PAECH: The report is owned by the United Nations. It came to Australia as part of the OPCAT provisions. It worked in the Northern Territory. I opened all facilities for it to come and inspect. Unfortunately, due to the other jurisdictions across Australia not allowing access, that report was put on hold. Subsequently, that committee has not published those results.

Mr EDGINGTON: Has your department received any feedback as a result of that OPCAT inspection?

Mr PAECH: Not that I am advised, no.

Mr EDGINGTON: Has there been any communication between the OPCAT inspectors and your department?

Mr PAECH: There is a volume of work by the inspectors. When the legislation commences, they will be responsible for the evaluation and monitoring of those places of detention. We remain open. If the United Nations committee wishes to come back to the Territory, it will be granted access again.

Mr EDGINGTON: When will the legislation commence?

Mr PAECH: The legislation passed the Legislative Assembly. We are now working with the Commonwealth and all Attorneys-General on the Commonwealth funding that is required in relation to those NPMs.

Mr EDGINGTON: Why is it taking so long?

Mr PAECH: I do not it has taken long at all. The Northern Territory is one of the first Australian jurisdictions to pass the legislation and be prepared and ready for the OPCAT legislation to commence when the international treaty is required.

Mr MALEY: In relation to prisoners doing out of work or day release, I received—I think you received it—an email from a person about a builder who is using day-release workers. Can you expand on that? My memory is that the owner of that house found out that a prisoner was there when Corrections turned up. Do you know what I am talking about? Do you remember that email?

Mr PAECH: As you can appreciate, I get hundreds of emails each day. I am more than happy ...

Mr MALEY: Yes, I accept that. Can you explain the day-release program?

Mr PAECH: Certainly. There is a lot of positive things to talk about with community work parties and day release. The Northern Territory Correctional Services Commissioner can provide further details. They are operational in nature.

Mr VARLEY: The term 'day release' I expect relates to prisoners who may well be out on various forms of activity in the community. They are open-rated security prisoners; that is our lowest security classification. They are part of a progression framework where prisoners, over time of their sentence, move through—for want of a better term—downgrading of their security classification as they move towards the latter parts of their sentence.

Community reintegration activities, including employment, is an important part of our strategy to make sure that prisoners ready for release into the community have a greater success in or chance of transitioning into the community. Employment is one part of that. We have a number of day-release programs, if you like, or temporary release, if you want to call it that.

We have people employed in the community who are effectively on the Sentenced to a Job program. We also have prisoners working in the community as part of our community service work parties. We also have people employed in volunteer work. There is a number of different strategies that are engaged with, and we have prisoner employment officers in the facility who work to match eligible prisoners with suitable work or

suitable opportunities for reintegration. That also connects to our training and vocational education programs, preparing people for employment with various qualifications and certifications as they move through their sentence.

Mr PAECH: In the interest of individual circumstances, rather than being discussed today, I am happy if you wish to send correspondence to my ministerial office, and we can work with the commissioner on particular circumstances.

Mr EDGINGTON: There was a number of buildings damaged or destroyed in the riot in 2020. Have they been repaired or replaced?

Mr PAECH: In relation to the rectification works, insurance policies are in place at the Darwin Correctional Centre and are taken out by the project company pursuant to the project deed under the public-private partnership for the Darwin Correctional Centre. The insurer is AIG Australia Ltd and has accepted the claim in response to the prisoner disturbance on 13 May 2020 at the Darwin Correctional Precinct. We are working through an early works package—fencing, contents removal, demolition site preparation and the provision of additional temporary accommodation has been carried out.

There are repairs to section eight, the sport and rec officer post, alternative temporary accommodation to accommodate staff and prisoner program activities for the duration of the repair works, and temporary alternative walkway and movement control to enable prisoner and staff movement safety around the construction site. The main construction reinstatement works contract for the insurance works to sector two, programs and administration areas, was signed between the building company and its builder on 8 July 2022. The main reinstatement works to sector five, the officer post and sector programs and education, at the Darwin Correctional Precinct commenced on site in September 2022. This is well under way and scheduled for completion next year in May/June.

Mr EDGINGTON: What is the cost of the overall repairs?

Mr PAECH: The estimated cost for the works is approximately \$30m. However, the full costs will not be known until the works are completed because it is an insurance claim. There will be matters as part of the claim that are covered, and there may be matters that are outside the scope of the claim. Four claims have been made under the insurance policies resulting in reimbursement to the Northern Territory Government of \$19.45m.

Mr EDGINGTON: What does the \$19.45m involve? What was the government expending that amount on?

Mr PAECH: That is in relation to the estimated works to complete that. It has been reimbursed to the Northern Territory Government.

Mr EDGINGTON: Is the \$19.45m what the Northern Territory Government has already spent?

Mr PAECH: The expenditure to date that has been incurred is \$18,840,257.37.

Mr EDGINGTON: What has that been spent on?

Mr PAECH: That is on the construction.

Mr EDGINGTON: Who has been doing that work? Has government engaged someone for \$18m worth of work?

Mr PAECH: It engaged a construction company. My understanding is that the construction company is Sitzler.

Mr EDGINGTON: During the damage in the riot, were any living areas damaged or destroyed where prisoners are normally housed?

Mr PAECH: No, but given the operational complexities and challenges in a correctional environment, I will ask the Northern Territory Correctional Services Commissioner to respond.

Mr VARLEY: The area primarily damaged was the sector two core of the centre, which was the programs office administration space and some rehabilitation rooms. There were also some officers' posts in the periphery damaged.

Mr EDGINGTON: Given that increased prisoner numbers often lead to tension and potential for violence, what is being done to ensure we do not have another \$30m riot in the Darwin prison?

Mr PAECH: We have developed a range of plans and consultative work with the Northern Territory Correctional Services officers, which continues with the master planning and the ongoing investment in infrastructure.

Mr EDGINGTON: Can you summarise the work that has been done to prevent this from happening again?

Mr PAECH: Yes. In response to the prisoner disturbance on 13 May 2020, the department has commenced significant infrastructure upgrades including:

- the installation of anti-climb fencing between sector six, alpha officer post and the medium classification
- hardening security screening to all external windows and internal corridors within sector six
- strategic placing of razor wire to eaves and rooflines within sector six
- fabrication and installation of table and bench seating to sector six medium
- retrofitting the stainless steel toilets to sector six medium
- increased security to sector six officer posts within five Charlie, which is blocks one and two
- upgrading of security screening to sector six bravo and charlie medium—they are blocks
- upgrading of sector five charlie one and two security screens and bar assemblies to remaining windows
- razor wire to sector five day yards.

Mr YAN: Thank you for updating us on the upgrades to security internally at DCC. Were the issues about security for internal fencing raised by correctional officers prior to the riot that destroyed the administration and programs area?

Mr PAECH: In response to the riot Northern Territory Correctional Services took a swift response and invested in those infrastructure upgrades. The Corrections Commissioner and I meet regularly with correctional staff across the centres, and they have an opportunity to voice any concerns they have with me directly.

Mr YAN: You did not answer my question. Were the security concerns about the internal fencing at DCC raised with Corrections management by correctional officers before the riot?

Mr PAECH: Had those concerns been raised they would have been raised with the Northern Territory Correctional Services Commissioner at the time, or the minister. I have had the portfolio for 12 months; those concerns were not raised with me directly.

Mr YAN: Were those concerns raised previously? Noting that you have the senior management team from AGD who were in place at the time, there should be some corporate knowledge.

Mr PAECH: I was not the minister, and the line of questioning is out of the scope of the budget Estimates hearings.

Mr YAN: With respect, you are talking about upgrades to internal security at DCC and raising it as a priority now. I know for a fact that these questions were raised prior to that riot. I would like to know whether questions were raised by correctional officers about internal security fencing prior to the riot and why it has taken this long to rectify those concerns.

Mr PAECH: I confirm that if the Member for Namatjira knows the questions, he probably knows the answers from previous correctional commissioners and ministers. I have been the Correctional Services minister for 12 months. As the Corrections Commissioner has, we respond to all security concerns that are raised with us by our staff and we respond accordingly and appropriately. I could not comment on decisions or matters that may have been raised with previous ministers or Corrections Commissioners. It is outside the scope.

Mr YAN: You are not going to take my word, guaranteed, that I knew about it, so you might want to take that question on notice, considering that it relates to the current upgrades that you are putting forward to internal security for fencing in DCC.

Mr PAECH: I have highlighted that we have done a number of infrastructure investments. We continue to do that. I visit the Alice Springs Correctional Centre, Datjala, the Barkly Work Camp and the Darwin Correctional Centre regularly. There is an opportunity and a platform for staff to raise matters with me and the commissioner. We take the safety concerns raised seriously and both the commissioner and I respond accordingly when those matters are raised.

Mr YAN: Do you not want to take that question on notice about the security concerns raised prior to the riot? Now you are only just getting to rectify those security concerns.

Mr PAECH: I highlight a point of order for the Member for Namatjira. It is outside the scope of what the Estimates hearing is. It would be inappropriate for me to provide comment on matters that were raised with former ministers or Correctional Services Commissioners.

What I can say is that in the last 12 months we have been committed to the safety, which is paramount, of all Northern Territory Correctional Services officers. We have worked to secure additional investments through the budget Cabinet process to upgrade critical infrastructure in our correctional facilities.

Mr CHAIR: Member for Namatjira, I think that is the response the minister is going to continue with. He is not accepting the question on notice, noting it is outside the reporting period that is in the terms of reference.

Mr YAN: The minister, if he wanted to, could find out that information and provide it to the Estimates Committee, but he is choosing not to.

Mr PAECH: I highlight that the Member for Namatjira has an opportunity at any Question Time to ask me questions about Correctional Services of which to date I have not had one.

Mr EDGINGTON: He is asking it now.

Mr YAN: I am sure I would get a response in questions.

Mr PAECH: It is outside the scope.

Mr CHAIR: I note we are four minutes off lunch. The Member for Mulka has a question on this line of questioning. He has waited patiently.

Mr GUYULA: Last year the NT Ombudsman appealed to government to install air conditioning in the Alice Springs correctional facility. Will the government put air conditioning in the Alice Springs or Darwin prisons?

Mr PAECH: Work is being undertaken at the moment. Assessments are being carried out in the Alice Springs Correctional Centre on cooling strategies that can be adopted. One of those recommendations may very well be air conditioning. That is work that the commissioner and I have spoken about. Work that is being undertaken at the moment across Northern Territory correctional facilities is on cooling strategies and mitigating strategies.

Mr GUYULA: How many people are being held in a correctional facility, including watch houses, across the Northern Territory today? Can you provide a comparison with 30 June 2022? What percentage of these people are First Nations and what percentage of these people are in remand?

Mr PAECH: We have already highlighted the number of people who are currently accommodated by Northern Territory Correctional Services. I ask the Northern Territory Correctional Services Commissioner to give you a breakdown of the population based on ethnicity, and any additional comments the commissioner wishes to make.

Mr VARLEY: The answer to the question on today's population is 2,093. For the monthly average for last financial year, I do not have an exact figure; I am sorry. Just to clarify, for 30 June I would need to check that if you specifically wanted that day.

At the end of 30 June 2022 the total population was 1,928, broken down at 1,189 at Darwin Correctional Centre; 628 in Alice Springs; 65 at Barkly Work Camp; and 46 at Datjala Work Camp. That would have been a snapshot of the operating figure on that day.

Mr GUYULA: The *NT News* reported rolling lockdowns due to a staff shortage in the Darwin Correctional Centre during the reporting period from 30 June to 30 March. What was the average number of hours of rolling lockdowns experienced within a week?

Mr CHAIR: Sorry, Member for Mulka, we will break for lunch. We will come back and give the department a chance to answer this in the first response after lunch.

The Estimates Committee will break for 30 minutes, back at 1.05 pm.

The committee suspended.

Mr CHAIR: Good afternoon, everyone. Welcome back from lunch. I will hand to the Member for Mulka to continue his line of questioning.

Mr PAECH: Mr Chair, I am mindful of the question of the Member for Mulka. After that response I have a number of responses to questions that have been raised.

Mr CHAIR: Then we will go back to the Member for Mulka for his other questions.

Mr PAECH: I will respond to your question posed before lunch, Member for Mulka, and then I have some answers for questions that other members of the Estimates Committee have asked. After that we can continue with your line of questioning.

In response to the Member for Mulka's question before lunch about the lockdowns, it is difficult to quantify and qualify because there are various levels of lockdowns within the correctional environment. That could consist of a lockdown of a unit or block, or could be lockdowns in medical or education facilities. It could be lockdown of the global facility that is in question. It could also be dependent on medical issues or staff. There is a range of matters.

I will ask the commissioner to provide any additional commentary on that matter.

Mr VARLEY: I emphasise what the minister has said. The use of the word 'lockdown' is one way to describe a number of restrictions that our correctional officers can put in place on prisoner movement throughout the cells, blocks, wings, dormitories and even sectors of the prison. It can range from a single-cell lockdown right through to an entire prison lockdown in the case of an extreme emergency.

Lockdowns or restrictions can be initiated by our correctional officers, our supervisors, who use their expertise, judgement and operational decision-making on the ground each day to look at how the prison should be run. That can be responding to a range of operational factors.

It is true to say that sometimes lockdowns can be initiated for staffing reasons. We worked hard with our unions to settle operating models for our facilities, as part of recent enterprise bargaining negotiations. For example, in Darwin recently we finalised an operating model for that facility that has a number of triggers through it that will initiate either reallocation and redistribution of staff or restrictions on movement and activity, block by block, cell by cell, wing by wing if needed.

I am not trying to be difficult in answering that question; I am trying to explain that there is a range of scenarios that could occur on any given day that make it difficult to clarify and quantify the use of lockdowns.

Answer to Question on Notice No 6.7

Mr PAECH: A question was raised by the Member for Barkly in relation to PwC—PricewaterhouseCooper, not Power and Water.

From 1 July 2022 to date, the department incurred costs of \$49,171.80, exclusive of GST, for work undertaken by PwC. There was only one contract and it was for a review undertaken by NT WorkSafe.

Answer to Question on Notice No 6.8

Mr PAECH: Question on Notice 6.8 raised by the Member for Barkly was about the average time free from cells at the watch house.

The average time of a prisoner out of a cell at Darwin watch house is 9.5 hours.

Answer to Question on Notice No 6.10

Mr PAECH: The additional Question on Notice 6.10 raised by the Member for Namatjira was about unallocated beds.

On 19 June 2023 Northern Territory Correctional Services had 68 prisoners with unallocated beds. I will ask the commissioner to respond. That does not necessarily equate to it being at capacity and that is why they are on unallocated beds.

The commissioner will provide further detail and then I will respond to the Member for Araluen's question about the watch house toilets.

Mr VARLEY: For clarification, those 68 prisoners on mattresses have been in sector six at Darwin Correctional Centre, which means that on any given day there are prisoner bed vacancies in other parts of the prison. Those parts of the prison, as we know, differ based on security classification, special needs and other things. Just because we had 68 prisoners on mattresses in sector six does not mean that there were not bed vacancies in other parts of the prison. We analyse and distribute that prison population based on the specific criteria of each prisoner.

Mr PAECH: I will ask the commissioner to provide an update about the toilet and bathroom facilities at the police watch house, which is used as the Northern Territory facility under an existing gazettal notice.

Mr VARLEY: I apologise to the committee; my memory failed me earlier. I had it checked over lunch. There are 16 cells at the Darwin watch house of various shapes and sizes. Each one of those has a toilet built into the cell. That was the part that my memory failed me on. There are shower blocks at the end of each wing. Each cell has its own toilet.

Mrs LAMBLEY: Do the prisoners use that if there are multiple people in the cell?

Mr VARLEY: Each cell has its own toilet with a shielding partition for a privacy screen. That is no different from most other cell designs.

Mr GUYULA: As at 30 March how many prisoners were sleeping on mattresses on the floor and what was the average number of prisoners per cell?

Mr PAECH: The information just provided to the committee was as at 19 June there were 68 unallocated beds.

The configuration per cell is an operational matter. I will have to ask the commissioner to provide additional information on that.

I note that the unallocated beds is not necessarily correlating to a demand pressure; it is about security classification.

Mr VARLEY: I do not have the figures of each cell to hand. We have a range of cell configurations across the sites, ranging from single cells to dormitories. The maximum dormitory size in Alice Springs, for example, is 16 in a multi-bed, large-scale dormitory.

We have twin cells. We have cells in some of the work camps that have three or four people in them. It depends on the configuration of each facility. It ranges from single up to dormitories.

Mr GUYULA: For the reporting period, what was the average length of time on remand for people who plead guilty? What was the average length of time on remand for people who plead not guilty?

Mr PAECH: To ensure that I provide you with the most accurate and representative information, I will take the question on notice.

Question on Notice No 6.11

Mr CHAIR: Member for Mulka, please restate the question for the record.

Mr GUYULA: For the reporting period, what was the average length of time on remand for people who plead guilty? What was the average length of time on remand for people who plead not guilty?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Mulka has been allocated the number 6.11.

Mr YAN: Can prisoners on remand access all prison programs, like drug and alcohol support or anger management programs?

Mr PAECH: I ask the Northern Territory Correctional Services Commissioner to step through the programs that are available to members of the community who are on remand. When someone is on remand, it is not mandatory. It is a voluntary capacity for most of those programs, but they can access programs.

Mr VARLEY: We have some programs that are accessed by remand prisoners. For example, the Safe Sober Strong Program is an offending program that provides tools and skills for people to improve their prosocial behaviour. That program is delivered by our trained staff to groups of prisoners who are on remand or sentenced, both male and female. It is delivered in Alice Springs and Darwin. It is offered in modules over a total period of eight days.

We have other programs. Most of those programs are focused on treating various types of criminal offending behaviour. One of the legal challenges associated with that is that prisoners on remand are innocent until proven guilty. That limits the type of psychological, psychoeducational or offence-specific treatment that can be afforded to remanded prisoners. We have remanded prisoners involved in other types of program activities such as cultural engagement, sport and recreation and some types of employment.

Mr EDGINGTON: Can you tell us the participation rates by those prisoners on remand in regard to those programs?

Mr PAECH: I will hand over to the commissioner to provide commentary on that. It is a variable and fluctuates depending on the remand population and their level of engagement to participate in those programs.

Mr VARLEY: Are you asking for a participation rate of people on remand?

Mr EDGINGTON: Yes. It sounds like it is voluntary. Can you advise us what the participation rate is?

Mr VARLEY: I need to take the question on notice. I can provide you with information regarding participants across a range of our programs, but it is numerical data, so I would be struggling to convert it to a rate.

Mr EDGINGTON: Does that data include those on remand?

Mr VARLEY: It includes both.

Mr EDGINGTON: Could it be separated out?

Mr VARLEY: Not right now. I have participation data for a whole range of our programs in courses that have been completed within the reporting period. The data that I have in front of me does not separate the categories of remandees versus sentenced. I would say that most of the programs, if you would like me to

go through them, are primarily associated with sentenced offenders because of what I explained earlier. I could give you some quantum of that.

Mr EDGINGTON: Perhaps I could ask a question on notice about participation rates in all prison programs for those who are on remand and for those who are serving a sentence.

Mr VARLEY: I can answer the question about participation. The rate part is variable based on fluctuating population. We measure in the number of programs and prisoners who have passed through our programs.

Mr EDGINGTON: I think you said that it does not separate out the prisoners on remand versus those who are serving a sentence. Is there separate data on those prisoner statuses?

Mr VARLEY: Yes. I could get that data on notice. What I can provide you today is data on the total participation quantum for each of our programs, if you would like.

Mr EDGINGTON: Perhaps we could take that and see whether there are any further questions.

Mr PAECH: I am happy for the commissioner to outline that. Subsequent to that I am happy to put ...

Mr EDGINGTON: Could you tell us an overview of what programs are available in the prison?

Mr PAECH: Just to confirm, the Corrections Commissioner will outline the programs and the participation. If there are subsequent questions from the Member for Barkly, we will work through those.

Mr VARLEY: We have a range of rehabilitation programs that are specialised and delivered by expert staff who do a terrific job every day in Correctional Services. They are clinicians such as psychologists, social workers and other specially trained program delivery staff.

We deliver three categories of treatment programs or various offence-related programs, which I will explain momentarily. I wanted to note for the committee's information that these specialised rehabilitation programs are behavioural interventions that form part of a broader range of prisoner engagement activities, training, cultural activities, education, employment and other types of programs such as art. We have a whole suite of activities that engage offenders in our custody, but the three types of program that I am about to explain are specialised rehabilitation programs.

The first category is something called offence-specific treatment programs, which are intensive criminogenic treatment programs designed to address the needs of offenders who commit particular types of offending. I will explain that in a moment. Those programs are delivered by psychologists and clinical staff and they are evidence based and culturally designed to the NT context. Most are delivered in therapeutic group sessions, but we can deliver the same content in a treatment program to individuals if we deem and assess that a group setting is not appropriate.

The second category is called offence-related programs. These programs address underlying offending behaviour—for example, substance abuse—but they may not be specific to a particular type of offence. They are based on cognitive behavioural therapy and developed by psychologists and delivered by trained facilitators with supervision by psychologists.

We have a third category which is called psychoeducational programs. These programs are designed to provide offenders with information to raise awareness and understanding of factors that might contribute to their particular offending behaviour and to give them skills and strategies that they can use to improve their behaviour eventually. These are more designed to be shorter in duration. They are delivered by trained facilitators and address things like alcohol and drug use; family violence; and things like emotional regulation, communication skills and life problem solving.

I have data for the period 1 July to 31 May. In relation to category one offence-specific treatment programs, the first program is called the Sex Offender Treatment program. This is an intensive treatment program addressing specific sexual offending for those assessed as high to moderate-high risk of reoffending. It is delivered by two specialist clinicians to groups of sentenced prisoners over a cumulative period of six months with approximately, and a minimum of, 182 service hours per offender.

In Darwin this year we have delivered one of those Sex Offender Treatment programs with 10 participants. That program was completed in December and another program has commenced in May, with another 11 offenders involved.

We have a second category one program called the Responsibility Safety Victims and Plans—RSVP—program. It is delivered on an individual basis in a risk-managed context for lower risk sex offenders, delivered by a clinician and run over five to six sessions. We have run 22 sessions so far this year for five specific offenders.

Another program is the Recognising Anger and Gaining Empowerment program, otherwise known as RAGE. That is an intensive treatment program run over six months with 182 service hours per offender, addressing domestic violence issues specific to the NT. These are delivered by two clinicians to groups of sentenced prisoners who have been assessed as high to moderate-high risk of reoffending in the family violence context.

One of the RAGE programs was delivered in Alice Springs with eight participants, and there was one in Darwin with eight participants. Both were completed by December last year. Another program of RAGE commenced in May in Darwin, with 12 offenders enrolled.

The final program in the category of offence-specific treatment programs is called the Violent Offender Treatment program, the VOTP. This is an intensive treatment program run over six months with 182 service hours per offender, addressing instrumental violence—that is, violence used with the purpose of attaining a goal but does not include domestic violence. That is for those assessed as moderate-high or high-risk of violent-type reoffending. It is delivered by two specialist clinicians to groups of sentenced prisoners and we commenced a program in Darwin in May, with 10 offenders enrolled.

In the second category of offence-related programs I mentioned earlier, there is a program called the Intensive Alcohol and Drug program—IADP. That is a four-month group treatment program for chronic alcohol or drug users, or both, who are sentenced prisoners. This program runs over three months with 90 hours of specific treatment per offender. We completed one of those programs in Darwin with eight participants.

The third category is the psychoeducational programs. The first of those is known as the Safe Sober Strong, or SSS, program. It addresses a range of offending in relation to alcohol and other drugs and provides tools and skills to provide prosocial behaviours. It is not just for alcohol and other drugs; it is about good behaviour as well. The program is delivered by trained providers to groups of remand and sentenced male and female prisoners in Alice Springs and Darwin. The program offers modules over eight days in total accumulated time. We have delivered 13 of those programs with a total of 76 participants so far this year.

The next category is the Family Violence program, which is delivered by trained facilitators to groups of sentenced prisoners in Alice Springs and Darwin who are convicted of family and domestic violence offences. It runs for a total of one week. We have completed 21 of those programs with a combined total of 148 participants.

I should note that we also deliver the Family Violence program in various communities across the NT for offenders who might now be under community supervision or have transitioned back into the community. We have a dedicated team for that. Thirty-eight of those programs have been delivered in the reporting period, with 308 people completing that program.

The final program under the category three psychoeducational stream is called the Addictive Behaviours program, delivered by trained facilitators to groups of sentenced prisoners in Alice Springs and Darwin with alcohol or drug use problems that relate to their offending. We have delivered 12 of those programs with 83 total participants.

If I might indulge a little further, my hardworking offender development and therapeutic services clinicians, team and trained delivery staff also, inside all of that work, undertake a whole range of other clinical services for prisoners. For example, every prisoner who we assess is eligible, within the first eight weeks of sentencing undertakes an individual clinical screening assessment to determine their eligibility and suitability for rehabilitation program work. We also conduct psychometric and specialised suitability assessments when necessary to identify certain criminogenic needs and assess the frequency and duration of treatment needed to address some of those behaviours.

There were 179 assessments completed in Darwin and 31 assessments were completed in Alice Springs for selected individuals; 249 clinical individual treatment sessions were delivered in Darwin and 34 in Alice; 162 clinical case reports were written in Darwin and 61 case reports were compiled in Alice Springs; 61 weekly supervision sessions were also provided for prisoner peer educators and peer listeners. These

are prisoners who provide support to their fellow prisoners in Alice Springs. Our clinicians and therapeutic staff oversee that program.

There is a range of other activities, but I will pause there and see whether that addresses the question.

Mr PAECH: They are the three tiers. As you would be aware as a Tennant Creek resident, there are the Datjala and Barkly Work Camps. Internally in the Darwin Correctional Centre and the Alice Springs Correctional Centre, there are prisoner in-reach programs; AOD; Alcoholics and Narcotics Anonymous; Drug and Alcohol Services Australia, DASA; prison fellowship; prisoner aid; Mission Australia; NAAJA Throughcare; NAAJA Kunga female program; (inaudible) men's program; and chaplaincy services delivered by Anglicare. Those programs are external to the programs that the Northern Territory Correctional Services deliver.

There has been an increase of \$2.4m for two years of further domestic and family violence programs and NT Correctional Services to look at expanding the delivery.

Mr EDINGTON: Could we ask for a breakdown of how many prisoners on remand and how many sentenced prisoners participated in those programs?

Mr PAECH: We will take that on notice.

Question on Notice No 6.12

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDINGTON: In regard to every program that the commissioner just told us about, can you give us a breakdown of how many prisoners on remand and how many prisoners who have been sentenced participated in and completed those programs?

Mr PAECH: I am happy to take that on notice, but in the interests of transparent and accountability, what date do you want? Is it for the reporting period to 31 March?

Mr EDINGTON: For the reporting period.

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.12.

Mr YAN: Commissioner, you just related some specialist clinical assessments that you do—179 in DCC and 31 in ASCC. That gives a total of 210. What are the clinical assessment programs? Where are the referrals going? Are they going to offence-specific and offence-related programs or also to psychoed?

Mr VARLEY: The answer to your question is they are clinical assessments of prisoners who are identified as needing programs. Those clinical assessments serve the purpose of identifying which program stream or which type of intervention is needed. It could be for all three categories.

Mr YAN: I understand the assessment process fairly well. Every prisoner that comes into the facility gets two specific assessments. The psych assessment was added at a later stage, outside the initial parameters. Is Correctional Services still referring prisoners to programs through the OMP and SCATE process through sentence management?

Mr VARLEY: Yes.

Mr YAN: How many referrals to programs have there been in the reporting period for prisoners through the OMP/SCATE process?

Mr PAECH: We will take that on notice. You are very familiar with Correctional Services, but you may wish to clarify what OMP means for the *Hansard*.

Mr YAN: It is Offender Management Plan.

Question on Notice No 6.13

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: How many referrals are taking place through the Offender Management Plan and the security classification and—I cannot remember the last two words of that one—SCATE for the reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 6.13.

Mr YAN: Once we get the number of those referrals through the OMP and SCATE process, how many of those prisoners referred then move to participate in the programs that they have been identified as requiring?

Mr PAECH: As the question is operational in nature, I will ask the commissioner to respond. If need be, I am happy to take that on notice.

Mr VARLEY: I cannot answer the question because I would need to see the original figures first as to how many referrals there are and then how many transitioned. The answer will be the referrals that are made through the original screening programs.

There would then be a second layer of clinical assessment done by our providers to assess the right program and the suitability. I imagine there is a screening layer and then another transition point.

The point would be that we then have to stream those persons to the right program and to its various availability. Then we also prioritise people who need treatment first with the right level of offending. That can take into a range of considerations such as their earliest release date, the type of offending and their behaviours.

Question on Notice No 6.14

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: Once it is determined how many prisoners are identified for programs through the Offender Management Plan and SCATE process, how many of those prisoners identified in that process then move on to undertake programs?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 6.14.

Mr EDGINGTON: What is the recidivism rate for prisoners within 12 months of release?

Mr PAECH: The Northern Territory's rate of prisoners returning to prison was 56.6%, decreasing from 58.9% in 2020–21.

Mr EDGINGTON: Is that reoffending within 12 months?

Mr PAECH: Yes. It is within the reporting period.

Mr EDGINGTON: Is it within 12 months of release that the reoffending rate is 56%?

Mr PAECH: It is two years.

Mr EDGINGTON: Two years—that is how it is measured.

Mr PAECH: Yes.

Mr EDGINGTON: What about after two years? Is there a rate recorded two years after a prisoner has been released; what is the recidivism rate?

Mr PAECH: No, there would not be.

Mr EDGINGTON: What has happened to the Paget report? Where is it?

Mr PAECH: I thought you would never ask. I have some good news to tell you. It is available publicly online, the executive summary.

Mr EDGINGTON: I thought you were going to talk about the full report.

Mr PAECH: I have met with the Ombudsman regarding that. I made a commitment to release the executive summary. That has been done and government has a range of plans regarding our Forward Together strategy, which incorporates and takes on recommendations from the Paget report.

Mr EDGINGTON: When you say that it has been released, you are talking about the executive summary. Have all the recommendations have been released in full?

Mr PAECH: The report makes 18 recommendations. They have been considered and incorporated, along with other priorities, in the Northern Territory Correctional Services Forward Together program and the new Northern Territory Correctional Services Strategic Plan. Ongoing changes in operational practices, equipment and infrastructure and staff configurations we will be working with over time. Those recommendations are public and have been featured in our Forward Together strategy.

Mr EDGINGTON: How many pages is the overall report?

Mr PAECH: What we are talking about is the executive summary. I made a public commitment when I took office as the Attorney-General and minister for Correctional Services, to release. We have released that along with the recommendations. We have met with the unions, the Northern Territory Prison Officers Association, to talk through the plan and make sure that those recommendations are featured in the Forward Together strategy.

Mr YAN: You have spoken about that strategy. How many pages of the Paget Report have you released?

Mr PAECH: The executive summary has been released. I made a public commitment to do that. I kept the rest of the Paget report as confidential as it talks about operational and security assessments and matters of the Correctional Services. That was in the interests of maintaining that level of security and confidentiality regarding prison operations.

Mr YAN: How many pages were released from the Paget report? How much was the executive summary?

Mr PAECH: The executive summary is available online.

Mr YAN: I know that the Paget report was 45 pages. I believe you have released three pages.

Mr PAECH: That is correct.

Mr YAN: The Ombudsman was quite open about the majority of that report being released for public interest, but out of a 45-page document you have released three pages. There are still 42 pages that the public does not get to see.

Mr PAECH: Three pages is part of the executive summary. I acknowledge the commentary made by the Northern Territory Ombudsman, but I also very much value the Correctional Services staff, the matters in the document and the potential risk and threat for correctional staff by releasing those reports. The executive summary highlights the recommendations and the work that Correctional Services will be embarking on regarding that reform and that is featured as part of our Forward Together strategy. There were 18 recommendations.

Mr EDGINGTON: Have the 18 recommendations been released in full?

Mr PAECH: Yes.

Mr EDGINGTON: I thought you said that it was part of the executive summary. There is an executive summary and the recommendations?

Mr PAECH: The executive summary and the recommendations are the three pages that have been publicly released; it highlights those recommendations. It is publicly available information online. We released that, then met with the United Workers Union and the CPSU to ensure that they were aware the executive summary was released, as a lot of their members are members of the union.

Mr EDGINGTON: How many staff are employed at the department of Corrections at the moment? What is the FTE for Correctional Services?

Mr VARLEY: To clarify, is your question on how many FTE?

Mr EDGINGTON: Yes. What is the approved FTEs for Corrections?

Mr VARLEY: The approved FTE for the current financial year is 954.

Mr EDGINGTON: How many vacancies are there at the moment?

Mr VARLEY: As at last pay, which was 7 June 2023, we had a total of 97 FTE vacancies; 63 of those were in the non-custodial space and 34 were in the custodial officer space. I point out that the FTE figure is slightly different from the headcount figure of individual officers employed because the FTE is a payroll calculation. I am happy to give you the employment figures as well.

Mr EDGINGTON: Yes, please.

Mr VARLEY: The budgeted figure is 954. In the custodial officer space we are three officers above that headcount—I will explain why in a moment—and three officers under that headcount in the non-custodial space. It is partly attributable to the fact that we have had a significant custodial officer recruitment drive in the past 12 months. I have 43 net more correctional officers than I had this time last year. As at the last pay cycle, I had 615 custodial officers on the books.

Although I have a shortage of custodial officers in Alice Springs, I have managed to work hard with my team who have done a tremendous job recruiting. We have over-recruited in Darwin; therefore, I have a surplus of officers in Darwin, which I am offsetting against the budget vacancies elsewhere. I am doing that because we have a number of other pressing priorities such as assisting Alice Springs with some rotational staff.

Mr EDGINGTON: How many short is Alice Springs?

Mr VARLEY: It is 31.

Mr PAECH: We have engaged a rigorous recruitment campaign for experienced correctional officers from other jurisdictions and potentially New Zealand. We have also been running a rolling recruitment campaign. As part of the enterprise bargaining agreement, there is a retention allowance for correctional staff in Alice Springs. In addition, we will cover relocation costs for correctional staff upon taking a position in Alice Springs.

Mr EDGINGTON: We are 31 short in Alice Springs. Are you short anywhere else—for example, in the Barkly? You said that you were over in Darwin; how many is that?

Mr VARLEY: My correctional officers work hard every day, and the established budget figure is what we work to for recruitment planning purposes. Our demand fluctuates and varies. As prisoner numbers rise, we have to roster additional staff—for example, to the watch house. The number of officers above establishment in Darwin is 36 presently, but all those officers are gainfully employed and working hard to manage things such as the watch house, other operational activity and rising prisoner numbers.

Where we need to, we will continue to recruit in the next year. We have identified that in Budget 2023–24 we will add approximately 50 correctional officers to our establishment from 1 July. I will continue to recruit into the new year.

I assure you that I focus extremely closely on Alice Springs, almost every week if not every day, but our numbers are under significant pressure. Our team works incredibly hard to do the best they can in the circumstances. We have recruited more than 140 new correctional officers in the past financial year. This Friday I will be in Alice Springs to graduate another four trainee correctional officers. Only yesterday we commenced another course in Alice Springs of 12.

Mr PAECH: We will have 17 new correctional officers in Alice Springs in the next month.

Mr EDGINGTON: What is the overall attrition rate in Corrections?

Mr VARLEY: The overall attrition rate in Corrections for this financial year is 16.8%.

Mr EDGINGTON: Do you regard that 16.8% attrition rate as high?

Mr PAECH: We have been working with correctional staff when they are leaving to understand some of the challenges. Some of the challenges have been people relocating back to their jurisdiction of origin to be with family and others have been about housing availability, particularly in the Barkly and Central Australia regions.

Mr EDGINGTON: That 16.8% is an extremely high attrition rate. Are you conducting exit interviews to determine why people are leaving your department?

Mr PAECH: We work with people in Correctional Services to understand some of the challenges and barriers. Some of that, particularly in the Barkly and Central Australia, is being able to get secure housing and accommodation options. For that reason we have offered a recruitment allowance for people to relocate to Alice Springs. We have also looked at a retention allowance.

Mr EDGINGTON: Can that attrition rate be broken down by region? What is the attrition rate at Darwin prison, Barkly, Alice Springs and Nhulunbuy? I think that is it.

Mr PAECH: We have the Darwin Correctional Centre, the Datjala Work Camp, the Barkly Work Camp and Alice Springs. I need to ask the commissioner whether that would be an operational matter.

Mr VARLEY: I can provide attrition rates across different functional groups and sites. I also note that it breaks down with custodial staff versus non-custodial staff. It depends on the level of ...

Mr PAECH: I can provide it. Sorry; my apologies. I made a note earlier.

The current attrition rate for correctional officers across the Northern Territory Correctional Services is 10.7%, with the breakdown being 8.1% for Darwin Correctional Centre; 16% for the Alice Springs Correctional Centre; zero for the Datjala Work Camp; and 7.9% for the Barkly Work Camp.

That is also matched by the work the commissioner is doing with the Northern Territory Correctional Services Aboriginal workforce attraction and recruitment group, which has been working together, and on the targeted recruitment.

We have seen in other jurisdictions the closure of some correctional centres, so we are working with identifying experienced correctional officers across Australian jurisdictions and those in the New Zealand jurisdiction as well who may be interested in taking on a career in Corrections.

Mr EDGINGTON: What does that attrition rate of 16.8% across the board equate to in numbers; how many staff?

Mr PAECH: I will ask the commissioner to provide that. We provided you with the percentage base.

Mr VARLEY: I can answer the question with the number of separations from the agency in the last reporting period. Is that helpful?

Mr EDGINGTON: Thank you. What was the attrition rate again—16.8%? It is 16.8% of 615. Do you have a calculator? Is it 103?

Mr VARLEY: The precise number of separations is something I track closely as well. Apologies, because my team runs data at different points based on cycles.

To 12 June 2023, which is only a week ago, there were 122 separations. There is a bit of a 'please excuse the variations in the numbers', depending on when things are calculated. There are 122 separations year to date across NT Correctional Services.

Mr PAECH: Of that, between 1 July 2022 and 31 March 2023, 51 correctional officers have separated from Northern Territory Correctional Services: 21 experienced officers and four TCOs in Darwin; 20 experienced officers and five TCOs in Alice Springs; and one experienced officer from the Barkly Work Camp. Five Darwin-based officers transferred to government roles—three experienced officers and two TCOs.

Mr EDGINGTON: Can you tell us the cost of overtime during the reporting period?

Mr VARLEY: The cost of overtime during the reporting period was \$12,662,005.

Mr EDGINGTON: Are you able to break that down by region and tell us how much was expended in Alice Springs, Darwin, Barkly—where was the other one?

Mr PAECH: There is Datjala, Barkly, Darwin Correctional Centre and Alice Springs. I will hand to the commissioner in a moment, noting that during that reporting period there would have been a number of matters come up—protected action and so forth—that would have required us to look at the overtime budget.

Mr VARLEY: Can I clarify you are asking for the overtime breakdown for the reporting period for regions?

Mr EDGINGTON: Yes.

Mr VARLEY: Of the money I quoted earlier, in the Darwin greater region the approximation is \$8,107,558; in East Arnhem, \$116,647; in the Barkly region, \$278,512; and in Central Australia \$4,159,288.

Mr PAECH: Those are the numbers. As a result of that, we continue to look at the recruitment strategies and staffing models of the Northern Territory Correctional Services while working with the various prison officer associations and their related unions on the rostering system.

Mr EDGINGTON: How much did the feasibility study into Rocky Hill Station for a men's behavioural change program cost?

Mr PAECH: That is not related to this output.

Mr EDGINGTON: Which output is it related to?

Mr PAECH: I understand that may have been the Aboriginal Justice Unit.

Mr EDGINGTON: Has Corrections not looked into a behavioural change program at Rocky Hill Station?

Mr PAECH: No.

Mr EDGINGTON: Is it not being considered as an alternative to ...

Mr PAECH: Any alternative-to-custody facilities sit outside the Northern Territory Correctional Services. It would be under the Aboriginal Justice Unit where work is undertaken. We would, if needed and under direction, look at additional work camps, but that has not happened to date. The location you mentioned has not been investigated by the Northern Territory Correctional Services.

Mr EDGINGTON: Is the Coolalinga caravan park currently being used as transition accommodation for prisoners?

Mr PAECH: No.

Mr EDGINGTON: Are there any security services employed at that park?

Mr PAECH: In relation to Northern Territory Correctional Services, no.

Mr YAN: You said you have not given any consideration to additional work camps. When you consider the pressure currently on your custodial facilities, why have you not considered further work camps in some of our regions of the Territory?

Mr PAECH: In response to your question, I have not ruled it out. I said that the site raised by the Member for Barkly was not being considered by the Northern Territory Correctional Services. The commissioner is undertaking the master plan at the moment, which may lead to consideration of an additional work camp.

We would need to look at the configuration of staffing, resources and infrastructure. That is already being explored by the Aboriginal Justice Unit as alternative-to-custody therapeutic facilities across the Territory. Work is happening in that space, but the location identified by the Member for Barkly is not being considered by Correctional Services.

Mr EDGINGTON: What is the average cost per day to house a prisoner in the Territory?

Mr PAECH: The current cost per day for a prisoner in the Northern Territory Correctional Services was \$328.98 in 2021–22, which was 19% less than the national average of \$405.18. The Northern Territory's real net operating expenditure per prisoner per day was \$225, which is 24% lower than the national average of \$295.

Mr EDGINGTON: Could you give us a breakdown of the comparison between the Alice Springs Correctional Centre and the Darwin Correctional Centre? Is there a difference in the cost per prisoner at each correctional centre?

Mr PAECH: That would be operational in nature, so I will ask the commissioner to respond, if he has additional comments.

Mr VARLEY: I will add two clarifiers. We aggregate the annual cost the minister just quoted across the whole of the service and report that nationally, as does every Corrections service. There are also variables in the way each site runs, which attribute different layers of cost to each site. I add those caveats because the numbers I am about to quote to you are variable based on those sites. They are also the numbers that I track year to date.

Currently, the Darwin Correctional Centre average cost for a prisoner is \$358 a day. It is a higher level of cost attributable to the additional cost of running the public-private partnership in Darwin. In Alice Springs the net cost is \$236 per day; in Barkly Work Camp it is \$219 per day; and in Datjala it is \$220 per day.

Mr EDGINGTON: I want to go back to the reoffending rates. I think you quoted 56% have reoffended within two years of release.

Mr PAECH: That is correct. It is the Northern Territory's rate of prisoners returning to prison is 56.6%.

Mr EDGINGTON: Is there a separate figure recorded for Aboriginal offenders in regard to reoffending rates? I think 62% was quoted last year.

Mr VARLEY: There would be, but I do not have it with me.

Mr PAECH: I am happy to take that on notice if you would like.

Question on Notice No 6.15

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: What is the reoffending rate for Aboriginal offenders within the two-year period of release?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.15.

Mr CHAIR: That concludes consideration of Output 2.1.

Output 2.2 – Community Corrections

Mr CHAIR: The committee will now consider Output 2.2, Community Corrections. Are there any questions?

Mr EDGINGTON: How many positions are there in Community Corrections?

Mr VARLEY: For the current financial year the budgeted establishment for Community Corrections is 164.

Mr EDGINGTON: Are there any vacancies in Community Corrections at the moment; and, if so, how many?

Mr VARLEY: There are 24 vacancies as at last pay cycle.

Mr EDGINGTON: The attrition rate that you quoted before of 16.8%, does that include Community Corrections?

Mr VARLEY: Yes, it does.

Mr PAECH: We are doing targeted recruitment for Correctional Services officers and Community Corrections probation and parole officers, Member for Barkly. Hopefully you would have had some advertising popping up on your social media as part of our comms plan for that strategy.

Mr EDGINGTON: It has been popping up. With an attrition rate of 16.8%, I hope you are attracting staff and I hope they are being filled very quickly.

Mr PAECH: There will be a spot for you post-2024.

Mr EDGINGTON: Mine will be in Community Corrections. Yours might be in another place.

How many offenders have completed a community-based order and what percentage successfully completed that?

Mr PAECH: You are asking for the rate of completion of the orders; is that correct?

Mr EDGINGTON: That is right. How many offenders were participating in community-based orders and what was the percentage of completion?

Mr PAECH: I can provide you with the offender numbers by location or the offender types managed by office location.

Mr EDGINGTON: Types by location and completion.

Mr PAECH: Certainly. In Alice Springs, there were 291; in Casuarina, 253; in Groote Eylandt, 41; in Katherine, 147; in Nhulunbuy, 69; in Palmerston, 274; in Tennant Creek, 66; and in Wadeye, 63. That brings the total in the Northern Territory to 1,204.

Mr EDGINGTON: What was the completion rate?

Mr PAECH: While that information is being acquired I will run through the types for you. They are probation; parole; community work orders; bail; community corrections order, or CCO; home detention, or HD; and administrative home detention, or AHD.

The Correctional Services Commissioner will respond in relation to the additional information.

Mr VARLEY: In relation to the overall completion rate of all community correction orders, I will take that question on notice. It is a new KPI that we are setting for the current financial year. Previous KPIs have counted community work orders, which is a specific type of order, and we are now broadening that definition to be all community correction orders from 1 July, which will be a targeted completion rate exceeding 70%.

In terms of the current KPI data, I will have to take that question on notice to convert it to an overall completion rate for you.

Mr PAECH: Given that it is a new KPI, in the interest of providing the most accurate and accountable information, I happy to take that.

Question on Notice No 6.16

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: You have given the total amount; 1,204 were participating on community-based orders. Out of all categories, what was the completion rate in regard to those community orders?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes, given it is a new KPI.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.16.

Ms BOOTHBY: There was mention of the community work orders and how that was being broadened to correctional orders. Can you clarify what that means? What will happen to the community work orders?

Mr PAECH: I will ask the commissioner to provide the detail on what that means. Community work orders will still exist.

Mr VARLEY: I am sorry if I misled you; all I was saying was that we are adjusting our counting rules to better represent the totality of the type of orders we supervise. The new KPI will measure an overall number of those rather than specifically the previous KPI, which was community work orders.

Ms BOOTHBY: The community work orders would still be in existence and measured separately, just not in a totality because there are other orders; is that what you mean?

Mr VARLEY: That is correct, but I will also clarify that when the new sentencing regime is introduced later in the year, the community work will become part of the new suite of Community Corrections orders that will be under that new legislation. The work and the type of activity will stay the same; it will just be how we count it.

Ms BOOTHBY: The data you offered before on the 204 offenders, was that all orders or just community work orders?

Mr PAECH: That was with parole numbers—pardon me, the question the Member for Barkly previously asked.

Ms BOOTHBY: Yes, I want to clarify whether that was all ...

Mr PAECH: It was 1,204.

Ms BOOTHBY: Was that just community work orders or was it all the ones you mentioned?

Mr PAECH: It was all of them. I can step through it, if you like.

Ms BOOTHBY: Can we just have the one figure for community work orders?

Mr PAECH: Yes, 129.

Mr CHAIR: That concludes consideration of Output 2.2.

Output 2.3 – Parole Board

Mr CHAIR: The committee will now consider Output 2.3, Parole Board. Are there any questions?

Mr EDGINGTON: What percentage of parolees are currently on electronic monitoring?

Mr PAECH: As of 31 March 2023, there were 254 community-based offenders monitored with electronic monitoring devices by Community Corrections. There were 45 parolees.

Mr CHAIR: That concludes consideration of Output 2.3 and Output Group 2.0. We will change over departmental staff and take a five-minute break. Thank you for coming in today, commissioner, and to your staff for the time they have put into this.

The committee suspended.

OUTPUT GROUP 3.0 – JUSTICE SERVICES

Output 3.1 – Higher Courts

Mr CHAIR: The committee will now consider Output Group 3.0, Output 3.1, Higher Courts. I welcome Mr Cox to the table.

No questions.

Output 3.2 – Lower Courts and Tribunals

Mr CHAIR: The committee will now consider Output 3.2, Lower Courts and Tribunals. Are there any questions?

Mr EDGINGTON: Last week the Treasurer mentioned there would be an additional Local Court judge. Where will that additional Local Court judge be based?

Mr PAECH: In relation to the budget, we are bringing on two new permanent judges. Currently they have been filled by acting court judges. I made a decision and worked with the Cabinet to no longer have acting court judges and to bring on two new additional permanent Local Court judges. Those positions will be based in Darwin, as that is the pressure point.

Mr EDGINGTON: There is a need for an additional judge in Katherine. Has that been considered?

Mr PAECH: We look across the judicial system and the demand pressures. Certainly, for some time now, we have had acting court judges. Upon taking on the role as the Attorney-General, I noted that for consistency and accountability, it is better to bring on additional two new permanent court judges, which are being filled through this budget. There are currently two acting court judges. We will go to the recruitment process for those once the budget has passed. There is a full-time judge in Katherine.

Mr CHAIR: That concludes consideration of Output 3.2.

Output 3.3 – Fines Recovery Unit

Mr CHAIR: The committee will now consider Output 3.3, Fines Recovery Unit. Are there any questions?

Mr EDGINGTON: What is the total aggregate amount of outstanding fines owed to the Northern Territory Government, and how does it compare with last year?

Mr PAECH: The total outstanding debt as at 31 March 2023, the reporting period, is \$116.3m. The Fines Recovery debt consists of unpaid Territory fines and infringement penalties; unpaid restitution; and infringement amounts for other government, semi-government institutions and individuals.

Mr EDGINGTON: How does that compare with last year?

Mr PAECH: Last year was \$114.3m.

Mr EDGINGTON: What is being done to collect those outstanding fines?

Mr PAECH: There is a whole amount of work happening in this space. The *Fines and Penalties (Recovery) Act 2001* allows for various sanctions to be imposed on persons, body corporate, who avoid their debt obligations. The main sanctions include driver licence suspension and cessation of business orders with the

Motor Vehicle Registry. Those who cannot pay their debts are encouraged to enter into time-to-pay arrangements through scheduled instalments. The Fines Recovery Unit also offers community work orders to persons who do not have the capacity to pay but are able to work off their debt to the community.

Mr EDGINGTON: How many drivers' licences have been suspended as a result of those actions?

Mr PAECH: I will take that on notice.

Question on Notice No 6.17

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: With regard to actions taken relating to outstanding fines, how many drivers' licences has the Fines Recovery Unit suspended over the last reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.17.

Mr PAECH: The Fines Recovery Unit also collaborates with Community Corrections on community work orders, which allow people to pay off their outstanding fines and infringements through community work.

Mr EDGINGTON: Are the community work orders mandatory in regard to the recovery of fines? Can the government put a person on a work order to pay off that fine, or is it totally voluntary?

Mr PAECH: They are sanctioned under the act.

Mr EDGINGTON: Is it mandatory or voluntary?

Mr PAECH: It is not mandatory; it is a sanction under the act.

Mr EDGINGTON: If it is a sanction under the act, does it require a staff member to use that sanction?

Mr PAECH: That is correct.

Mr EDGINGTON: How many sanctions have been used under that legislation?

Mr PAECH: During the 2022–23 financial year until 31 March 2023, the Fines Recovery Unit issued 78 community work orders in the following regions: Darwin, 57; Alice Springs, 17; and Katherine, four. That is a total of 78. The value of the work paid off by community work orders was: in Darwin, \$61,965; in Katherine, \$1,620; and in Alice Springs, \$5,068. That equates to \$68,648 through community work orders.

Mr EDGINGTON: That was an amount of \$68,000 in the reporting period?

Mr PAECH: Yes.

Mr EDGINGTON: Is that the only amount that has been paid off under the outstanding \$116.3m?

Mr PAECH: No. That is community work orders.

Mr EDGINGTON: Completed—and \$68,000 has been paid off.

Mr PAECH: Yes.

Mr EDGINGTON: What do you say about that? It was \$114.3m and it is up to \$116.3m. Can further work be done to bring that total down?

Mr PAECH: As a government we are always looking at ways in which we can streamline, find efficiencies and make processes much easier. We will continue to do evaluate and make the necessary changes.

Mr EDGINGTON: Where are you up to with that?

Mr PAECH: I have answered your question.

Mr EDGINGTON: Have you come up with anything different in the last 12 months?

Mr PAECH: There has been work across government sectors. The Aboriginal Justice Unit has been working closely with Community Corrections about how it can transfer particular things into community work orders to be paid off. There is work happening in this space.

Mr EDGINGTON: As you said, there is talking going on, but have there been specific changes to any piece of legislation or policy to bring down the outstanding amount of fines?

Mr PAECH: When you refer to 'talking', I find that offensive to the public servants who are doing the hard work. There is a number of conversations and the identification of work and plans put forward about how we can streamline that. The Aboriginal Justice Unit is doing a huge volume of work on how things can be converted into community work orders. We will see results over the next 12 months about where we can turn those into work orders to be worked off.

Mr EDGINGTON: Are you expecting the total to go down over the next 12 months?

Mr PAECH: It is my and the agency's intention to work as hard as we can to drive those numbers down.

Mr EDGINGTON: The Chief Minister said that flood evacuees could face fines over damage to the Centre for National Resilience. Have any fines been issued or paid in regard to damage caused?

Mr PAECH: I encourage you to put those questions to the Police minister. There would have to be a charge first and then worked through our unit to determine whether those fines or penalties could be worked off.

Mr EDGINGTON: Have any fines been paid to the Fines Recovery Unit that relate to damage at the Centre for National Resilience?

Mr PAECH: At this stage, no.

Mr CHAIR: That concludes consideration of Output 3.3 and Output Group 3.0.

OUTPUT GROUP 4.0 – DIRECTOR OF PUBLIC PROSECUTIONS **Output 4.1 – Director of Public Prosecutions**

Mr PAECH: There will be a changeover. The Director of Public Prosecutions, Lloyd Babb, will be joining us.

Member for Barkly, I acknowledge that there were questions raised earlier today that we referred to be dealt with in Output Group 4.0.

Mr CHAIR: I welcome Mr Babb to the Estimates Committee. I now call for questions on Output Group 4.0, Director of Public Prosecutions, Output 4.1, Director of Public Prosecutions.

Mr EDGINGTON: In regard to the failed prosecution of Colleen Gwynne, can you please tell us what the overall court costs and fees were?

Mr PAECH: As of 31 March 2023 the department's direct expenditure for the Children's Commissioner's case, Ms Gwynne, was external counsel, including travel and witness expenses, was \$210,000.

In the interest of being open and accountable, there are different figures in the public domain. As of 31 May 2023, the department's direct expenditure for the Gwynne case for external counsel, including travel and witness expenses, was \$263,000.

The figures do not include DPP personnel costs or other expenses associated with business-as-usual activities within the Office of the Director of Public Prosecutions.

Mr EDGINGTON: What is the overall cost expended by the DPP in regard to failed prosecutions?

Mr PAECH: I will take that on notice.

Question on Notice No 6.18

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: What is the overall cost incurred by the DPP in regard to failed prosecutions in the last reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.18.

Mr EDGINGTON: Has the DPP faced any other cost orders that have been paid out of its budget?

Mr PAECH: Yes.

Mr EDGINGTON: What is the total amount of cost orders that have been paid out of the DPP budget over the last reporting period?

Mr PAECH: I am happy to take that on notice.

Question on Notice No 6.19

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: What is the overall cost of payments in regard to cost orders by the DPP, and what impact has that had on its budget?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.19.

Mr EDGINGTON: What is the increase in workload over the past year? Will the increase in funding fully offset any increase in costs due to a higher workload?

Mr PAECH: During my time as the Northern Territory Attorney-General I have increased the resourcing to the DPP. The DPP received an additional 19 positions; 17 have been recruited to. I have asked the Director of Public Prosecutions to prepare a business case for additional positions to be considered in the midyear budget.

Mr EDGINGTON: Has there been any increase in this year's budget for the DPP?

Mr PAECH: Yes.

Mr EDGINGTON: How much?

Mr PAECH: Highlighting that since the last budget there has been an increase in resourcing for the DPP by \$1.45m, this has resulted in the additional 19 positions. I have asked the Director of Public Prosecutions to finalise the business case for an additional 15 into the DPP. That will be considered in the midyear budget.

Mr EDGINGTON: You said the increase has been \$1.4m. Has that funded 19 positions?

Mr PAECH: Yes.

Mr EDGINGTON: They must not be very high-paying positions.

Mr PAECH: There are 17 positions filled and recruitment is under way for the remaining.

Mr EDGINGTON: An additional 19 positions with \$1.4m; is that what you are telling me?

Mr PAECH: There has been an increase in resourcing for the DPP by \$1.45m. Over the last period there has been an additional 19 positions for the DPP, and 17 are currently filled.

Mr EDGINGTON: Have there been any budgetary constraints that have impacted on the number or type of cases the DPP is able to pursue?

Mr PAECH: That is an operational question. I will ask the Director of Public Prosecutions whether he wants to make additional comments on that.

Mr BABB: The question of resourcing does not come into my criteria when deciding whether to advise the police to charge or to continue with a prosecution. It has not impacted on any decision about pursuing a case. There are resource challenges that mean that staff are often working long hours in order to meet the demands of the job, but it has not impacted on any decision as to whether a case should be commenced or continued.

Mr PAECH: Member for Barkly, to your point, coming in as the Attorney-General over the last 12 months, I have met with the Director of Public Prosecutions and we have had a conversation around staffing. That is why I have asked him to prepare the brief for the midyear budget for an increase in staff in the DPP.

Mr EDGINGTON: Has that brief been completed yet?

Mr PAECH: No. That will be completed by the Director of Public Prosecutions and I will then take that to the midyear budget.

Mr EDGINGTON: How many more staff are needed in the DPP?

Mr PAECH: I would like to see a number of anywhere from 10 to 15 additional staff.

Mr EDGINGTON: Would any of those staff be based outside Darwin?

Mr PAECH: That would be an operational matter and I am not in a position to say.

Mr EDGINGTON: How many staff in the DPP are based outside of Darwin?

Mr PAECH: I will need to ask the Director of Public Prosecutions to respond.

Mr BABB: I do not have the exact number, but we have three offices. We have staff in Alice, Katherine and Darwin. Darwin is by far the biggest office. I was in Alice yesterday and there are about 30 staff in Alice, about four staff in Katherine when we are fully staffed—we are down one at the moment in Katherine—and 60 staff in Darwin.

Answer to Question on Notice No 6.17

Mr PAECH: I have a response to how many individuals had their licences suspended over that period. I can advise you that from 1 July 2022 to 31 March 2023 the Fines Recovery Unit issued 2,449 driver's licence suspensions.

Mr EDGINGTON: In regard to the DPP, what is the overall caseload for the reporting period and how does that compare with last year?

Mr PAECH: I will hand over to the Director of Public Prosecutions. While he is preparing that, it is important to acknowledge that the DPP will also receive \$851,000 funding through the Interagency Coordination and Reform Office, which is referred to as the ICRO, for a specialist DV prosecutor and additional witness assistant staff, and the department is working closely with the DPP. That was part of the ICRO bid.

Mr EDGINGTON: When will that start?

Mr PAECH: Recruitment is under way for that now.

Mr EDGINGTON: What is the overall caseload the DPP is carrying during the reporting period compared with last year?

Mr BABB: I do not have the overall caseload figures here. Our new matters are at about 9,250 for this year.

Mr EDGINGTON: Is that up to 31 March?

Mr BABB: That is my best estimate.

Mr EDGINGTON: Do we know what it was last year?

Mr BABB: It was just under 8,000.

Mr CHAIR: That concludes consideration of Output Group 4.0.

Mr PAECH: Mr Chair, I thank the Director of Public Prosecutions.

OUTPUT GROUP 5.0 – INDEPENDENT OFFICES

Mr CHAIR: I note that the committee does not have questions relating to Consumer Affairs, the Office of the Registrar-General and the Public Guardian and Trustee. Those independent officers will therefore not be appearing today.

Mr PAECH: We have the Anti-Discrimination Commissioner, the Children's Commissioner, and the Health and Community Services Complaints Commissioner.

Output 5.2 – Anti-Discrimination Commission

Mr CHAIR: The committee will now consider Output 5.2, Anti-Discrimination Commission. Are there any questions?

Mr EDGINGTON: The Anti-Discrimination Amendment Bill was passed in November 2022 but is yet to come into force. Is that correct?

Mr PAECH: There is a staged approach. Elements will commence on 1 July, and additional components of the bill will commence next year.

Mr EDGINGTON: Do you have a date when the remainder of the bill will be assented to?

Mr PAECH: On 1 July it commences.

Mr EDGINGTON: Is that the entire bill?

Mr PAECH: Yes.

Mr EDGINGTON: How many complaints have there been in 2022–23 ...

Mr PAECH: Sorry, I want to confirm. The bill commences 1 July, and the representative complaints element of the Anti-Discrimination Amendment Bill commences 1 January 2024.

Mr EDGINGTON: Why does that commence six months later?

Mr PAECH: It was in regard to the education and work that had to be in place in order to inform people of those changes and that we were ready to respond.

Mr EDGINGTON: Who will be doing that work, the education role?

Mr PAECH: That will be done by the Anti-Discrimination Commission. That was the lead time to prepare.

Mr EDGINGTON: What is the plan to roll out that education?

Mr PAECH: I can ask the acting Anti-Discrimination Commissioner to respond.

Ms KEYS: As the minister indicated, the bill is being rolled out in two phases. We have only a communication plan at this stage for the first phase, which is to go out to small businesses, relevant community organisations and other individuals that would like to meet with the commission, and that work is already under way.

We have also undertaken a social media campaign to inform the general community about what those reforms will look like on 1 July. Following that, there will be a further communication plan to look at how we will engage with business on the reforms that will come in on 1 January 2024.

Mr EDGINGTON: How many complaints have there been in 2022–23 and how does that compare with the previous year?

Mr PAECH: I will ask the acting Anti-Discrimination Commissioner to work through that with you.

Ms KEYS: In 2022–23 to 31 March, the number of complaints we handled was 251.

Mr EDGINGTON: How does that compare with the previous year?

Ms KEYS: In the previous year, 2021–22, it was 197.

Mr EDGINGTON: When we talk about complaints, does that include a phone inquiry or is it a specific formal complaint? What is made up of that?

Ms KEYS: There are both inquiries and complaints. We count inquiries separately. An inquiry may be where a member of the public will contact us by phone or email or visit us and not make a formal complaint. A formal complaint is when someone actually lodges a complaint under the *Anti-Discrimination Act* and it goes through a formal complaint process.

Mr EDGINGTON: What was the number of inquiries in 2022–23 compared with the previous year?

Ms KEYS: It was 256 until 31 March 2023, and for the same period in 2021–22 it was 314.

Mr EDGINGTON: In your assessment of the complaints, is there a particular category drawing more attention than others?

Ms KEYS: We are in the process of preparing our annual report, so I do not have that data at the moment. I could only give an anecdotal response to that. I could probably anticipate what that would be, but at the moment I do not have that data.

Mr EDGINGTON: I am happy to hear anecdotally what the main complaints are about.

Ms KEYS: The highest complaints we receive would be in relation to disability and race.

Mr EDGINGTON: Out of all complaints, what percentage of complaints were against the Northern Territory Government?

Ms KEYS: I would need to take that on notice. I do not have that data with me.

Question on Notice No 6.20

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: What percentage of complaints taken by the Anti-Discrimination Commissioner were against the Northern Territory Government for the period 2022–23?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.20.

Mr EDGINGTON: How many complaints have been referred to NTCAT in the past year and what was the subject matter of those?

Mr PAECH: I will refer to Traci Keys, the acting Anti-Discrimination Commissioner.

Ms KEYS: I can indicate that there has been no referrals to NTCAT in the last 12 months. The only referral has been a self-referral where the party referred the matter themselves.

Mr EDGINGTON: Is it possible that when somebody makes an inquiry, it might continue on to be recorded as a complaint?

Ms KEYS: It may be that the individual decides to lodge a formal complaint with us, but they would have to take that step.

Mr EDGINGTON: Would that be recorded twice?

Ms KEYS: Yes, it would be recorded twice.

Mr PAECH: It would be recorded twice; one as an inquiry and then as a complaint.

Mr EDGINGTON: Are you able to give the percentage of Aboriginal persons who have made a complaint to the Anti-Discrimination Commissioner in the reporting period?

Ms KEYS: I would need to take that question on notice. I could provide that data.

Question on Notice No 6.21

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: How many complaints in 2022–23 have been from persons identifying as Aboriginal?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.21.

Mr EDGINGTON: What is the average time to resolve a complaint?

Mr PAECH: That is an operational matter. I will ask Traci Keys to respond.

Ms KEYS: If I could clarify the question, are you asking about the average time it takes to finalise, or what time frame matters are finalised in?

Mr EDGINGTON: The average time to finalise a complaint.

Mr PAECH: Is that from start to finish?

Mr EDGINGTON: Yes.

Ms KEYS: I would need to take that question on notice. I am able to provide percentages of timeliness, but I am unable to provide an average time. We do not record our data, but I could get that data for you.

Mr EDGINGTON: When you say percentage of timeliness, what sort of data is that?

Ms KEYS: Our key performance indicators are the number of complaints closed within eight months of receipt. I can give you that percentage up until 31 March this year.

Mr EDGINGTON: Yes, that is fine.

Ms KEYS: The answer to that is only 3% closed within eight months.

Mr EDGINGTON: What is the longest outstanding complaint that you are holding onto at the moment or still investigating?

Mr PAECH: We could look at giving you the number, but we would not disclose the confidential nature of what the complaint is.

Mr EDGINGTON: I am not after the details of the complaint. I am wondering what is the longest time that you have a complaint outstanding.

Ms KEYS: I need to take that question on notice. I do not have the information with me.

Question on Notice No 6.22

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: Out of all outstanding complaints, what is the longest period of time that a complaint has been open?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.22.

Ms BOOTHBY: With regard to the introduction of the bill and when it will become enforced, you mentioned it is being done in phases. What is the first phase, and what is next? Why is it being done like that?

Mr PAECH: The *Anti-Discrimination Amendment Act 2022* commencement is in July 2023, except for the 'positive duty' and 'representative complaints' which will commence in January 2024. That longer lead time was designed to prepare and provide, as the acting commissioner has highlighted, social and communications campaigns regarding education of what the representative complaints is and how it will work, as well as target the business community.

Ms BOOTHBY: Is that the first stage?

Mr PAECH: No. The act commences in July this year, and the representative complaints takes effect from 1 January 2024. It was designed to give a longer lead time for the communications and engagement plans to be developed and rolled out and for small businesses to understand and have the ability to recognise that.

Mr CHAIR: That concludes consideration of Output 5.2.

Mr PAECH: I thank the acting commissioner, Traci Keys.

Output 5.5 – Children's Commissioner

Mr CHAIR: The committee will now consider Output 5.5, Children's Commissioner.

Mr PAECH: We are now joined by Nicole Hucks, the acting Children's Commissioner.

Mr EDGINGTON: What was the last own-initiative investigation conducted by the Office of the Children's Commissioner? Are there any currently under way?

Mr PAECH: That is operational in nature. I ask Ms Hucks to respond.

Ms HUCKS: In relation to own-initiative inquiries, the Office of the Children's Commissioner has completed 17 up until 31 March. In the last reporting period, we have undertaken under-14 own-initiatives—that is, children under the age of 14 years in a youth detention centre.

I do not have the start date of the last own-initiative investigation before me, but I can take the question on notice if you would like to know when we commenced an own-initiative in relation to an under-14 in detention.

Mr EDGINGTON: Just to clarify, there were 17 up until 31 March 2023. That is just during that reporting period; is that right?

Ms HUCKS: That is correct.

Mr EDGINGTON: Have they been published on your website?

Ms HUCKS: The requirement to report on investigations by the Children's Commissioner is subject to specific sections within the *Children's Commissioner Act*. That determination is made by me as acting Children's Commissioner and in relation to the best interests of children.

Mr EDGINGTON: Have you made a decision to publish or not publish any of those 17 investigations?

Ms HUCKS: At this point in time, the undertaking is to complete the under-14 own-initiative inquiries and to provide a summarised report on those.

Mr EDGINGTON: Sorry, I might be a bit mixed up. Are you saying that the 17 relate to children under 14?

Ms HUCKS: Ten of those relate to under-14s.

Mr EDGINGTON: I will go back. You have done 17 own-initiative investigations. Have you made decisions in regard to publishing those completed investigations?

Ms HUCKS: There is no decision on publishing those investigation findings.

Mr EDGINGTON: Will you be publishing the findings of those investigations?

Ms HUCKS: In relation to the 17 matters, two were child protection service matters; five were matters relating to the conditions within youth detention centres; and, as I said, 10 related to the under-14s. I intend to provide a summary report on the under-14s.

Mrs LAMBLEY: Are you talking about investigations or monitoring cases?

Ms HUCKS: These are own-initiative investigations.

Mrs LAMBLEY: What is an investigation, by your definition?

Ms HUCKS: It is an undertaking of further inquiry in relation to concerns about vulnerable children—that is, children defined as vulnerable under section 7 of the *Children's Commissioner Act*.

Mrs LAMBLEY: You have not been referred?

Ms HUCKS: Possibly, they could form the grounds for a complaint with the Office of the Children's Commissioner. An own-initiative investigation could also be undertaken in relation to complex complaint matters or complaint matters that reflect a systemic service delivery issue.

Mr PAECH: The number that the Children's Commissioner is quoting is own investigation. There are, of course, a number of complaints that would come through to the Children's Commissioner that she and her team would review and investigate if required. The overall number would be higher than the 17 own investigations.

Mrs LAMBLEY: Own initiative is not a case referred for investigation; it is something you have initiated yourself.

Mr PAECH: The total number of complaints made to the commission is different from the number of own investigations.

Mrs LAMBLEY: How many complaints have you dealt with?

Mr PAECH: In the reporting period as of 31 March, the total complaints matters were 453.

Mrs LAMBLEY: Are they all completed?

Mr PAECH: I would have to refer that matter to the Children's Commissioner to respond on the number of those complaints that were own initiative.

Ms HUCKS: Of the 453, there were 261 complaints managed by the Office of the Children's Commissioner. The 453 includes approaches, as discussed previously, by the Anti-Discrimination Commissioner, the complaints and own-initiative inquiries; 261 of those were complaint only.

Mrs LAMBLEY: Of the 17 own-initiative investigations, how many families or children was that dealing with? Was that 17 children and different families?

Mr PAECH: Are you asking about each of those 17 individuals?

Mrs LAMBLEY: Yes. Are they different children and different families?

Ms HUCKS: I would have to take that question on notice.

Question on Notice No 6.23

Mr CHAIR: Member for Araluen, please restate the question for the record.

Mrs LAMBLEY: Of the 17 own-initiated investigations that the Children's Commissioner has undertaken, how many different children does that represent?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Araluen has been allocated the number 6.23.

Mr EDINGTON: I want to get back to the 17 own-initiative investigations. You have indicated that there are 10 relating to children under the age of 14. Did I hear right that they are in detention? That leaves seven that have been completed; is that correct?

Ms HUCKS: The breakdown of the 17 is 10 in relation to under-14s who had admission to youth detention; five matters that relate to conditions within youth detention centres, so an own-initiative investigation commenced as a result of those concerns; and two matters that relate to child protection services.

Mr EDINGTON: Have the two related to child protection services been completed?

Ms HUCKS: They have not as yet.

Mr EDINGTON: Are the five related to conditions in detention completed?

Ms HUCKS: We are still in the preliminary inquiry phase of those.

Mr EDINGTON: Out of the 17 that have commenced, none of those have been completed?

Ms HUCKS: I will take that question on notice in relation to the under-14s.

Question on Notice No 6.24

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDINGTON: There have been 17 own-initiative investigations commenced. How many of those investigations have been completed?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.24.

Mr GUYULA: What extra funding has the Office of the Children's Commissioner received to implement monitoring of detention?

Mr PAECH: As I have stated previously today, the OPCAT legislation has not commenced. We are in negotiations with the Commonwealth. There was an appropriation towards the OPCAT legislation last year to set the systems up. In terms of the NPMs, that is an ongoing communication with the Commonwealth, me and other Attorneys-General from Australian jurisdictions on the initial payments for OPCAT to commence.

We have opened all facilities for the United Nations committee to come and observe the places of detention.

Mrs LAMBLEY: How many own-initiated investigations did the Office of the Children's Commissioner undertake in the last reporting period?

Ms HUCKS: There has been a reduction from the previous financial year, although I do not have the number in front of me.

Question on Notice No 6.25

Mr CHAIR: Member for Araluen, please restate the question for the record.

Mrs LAMBLEY: How many own-initiated investigations did the Office of the Children's Commissioner undertake in the last reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Araluen has been allocated the number 6.25.

Mr EDINGTON: A couple of weeks ago, a position paper was released regarding banning spit hood use for youths. Was there any consultation with the Northern Territory Police, Fire and Emergency Services or the Police Association prior to the release of that position paper?

Mr PAECH: I will refer that question to the acting Children's Commissioner.

Ms HUCKS: Consultation was undertaken along with a range of research and a review as a result of the need for the Office of the Children's Commissioner to provide that position paper. I would need to confirm the consultation that occurred with which stakeholders.

Question on Notice No 6.26

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDINGTON: Prior to the release of the position paper calling for a legislative ban on spit hood use on youths, could you advise whether there was any consultation with the Northern Territory Police Association or the Northern Territory Police, Fire and Emergency Services?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: Yes.

Mr CHAIR: The question asked by the Member for Barkly has been allocated the number 6.26.

Mr PAECH: In the interests of being open and accountable, I confirm that the position paper was developed by the statutory Office of the Children's Commissioner, not the Northern Territory Government.

Mr EDGINGTON: Was the position paper developed as a result of a complaint or was it an own-initiative investigation?

Mr PAECH: I will refer that to the acting Children's Commissioner as that paper is being developed by them.

Ms HUCKS: The position paper was developed following a policy ban on the use of spit hoods on children by police. The need to further the policy ban was determined by a partnership review that the Office of the Children's Commissioner has completed with the Ombudsman. Police conduct—an act and omission by police—is not within the jurisdiction of the Children's Commissioner; however, expertise on child engagement and trauma-informed engagement is expertise that the Office of the Children's Commissioner maintains. Therefore, in relation to banning the use of spit hoods we have conducted a partner investigation with the Ombudsman, which is reflective of our working relationship expected going forward under the OPCAT implementation.

Mrs LAMBLEY: Did you do any consultation yourself within your office on this issue?

Ms HUCKS: Could you clarify in terms of ...

Mrs LAMBLEY: About the issues of spit hoods and the policy around that.

Ms HUCKS: Within the office?

Mrs LAMBLEY: By the office. Did the office undertake any consultation?

Ms HUCKS: I have asked for that question to go on notice in relation to giving detail around consultations.

Mrs LAMBLEY: Okay, sorry.

Mr EDGINGTON: My understanding is that the police have had a policy in place since October 2022 regarding not using spit hoods on youth. What would be the purpose of this position paper and introducing legislative change if that policy is already in place?

Mr PAECH: That is correct. The Northern Territory Police, Fire and Emergency Services has had a ban on the use of spit hoods in those particular instances. I highlight that this is a discussion paper that has been created independent of government by the Children's Commissioner. It is not a Northern Territory Government discussion paper.

Mr EDGINGTON: Why has that position paper—or discussion paper as you call it—been developed if there is already a policy in place banning the use of spit hoods?

Mr PAECH: The Children's Commissioner is a statutory independent body of government.

Mr EDGINGTON: Perhaps the commissioner might answer.

Mr PAECH: The commissioner is welcome to answer that. I am responding first and then I will hand to the Children's Commissioner.

It is a statutory body; it is therefore able to conduct itself and do a range of work and investigations. That is a position paper of the Children's Commissioner and I will ask the acting Children's Commissioner to further highlight that. The position was adopted by the Northern Territory Police and has been in place since.

Ms HUCKS: The policy ban on spit hoods for children by police does not go far enough to concrete the forbidden use going forward in the Northern Territory. The concern I hold is the detrimental and traumatic impact that use of spit hoods has on children, particularly when they are at a phase in their development that is quite sensitive. Therefore, the need to legislate the banning of spit hoods is imperative, particularly for those children who find themselves coming before the police. The majority of those, as we know from research internationally and nationally, are the most traumatised cohort of children.

Mr EDGINGTON: Why would legislative change be needed if police currently have a policy where they do not use spit hoods on youth? Are they using spit hoods on youth or not?

Mr PAECH: I will respond first, then hand over to the acting Children's Commissioner.

The Northern Territory Police brought in that policy. I am advised that the police are not using spit hoods on children. They are matters that would be directed to the Minister for Police, Fire and Emergency Services, who has carriage of the Police administration legislation.

Mr EDGINGTON: Why would legislation be needed if there is a policy already in place that shows that police are not using spit hoods on youth? Why does it require introduction of legislation?

Mr PAECH: In the interests of being transparent and accountable, the statutory body of the Children's Commissioner has developed its position paper. That is not the position paper of the Northern Territory Government.

Those questions, if they need to be explored further, would be for the Minister for Police, Fire and Emergency Services in the next sittings, as they are operational and pertain to the *Police Administration Act*.

Ms HUCKS: As mentioned earlier, the need to concrete the ban of use of spit hoods on children is imperative; therefore, legislation of that ban is required.

Mr EDGINGTON: Have you read the policy that police have in place?

Ms HUCKS: Yes, I have.

Mr EDGINGTON: Are you satisfied that policy covers the issues you want to introduce into legislation?

Ms HUCKS: The policy does to go far enough to put in the safeguards to retract on that decision in the future.

Mr EDGINGTON: In what ways does it not go far enough?

Ms HUCKS: I can provide a briefing to you, if required, on this matter.

Mr EDGINGTON: You say it does not go far enough. A summary of what the issues are would be fine.

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

Mr EDGINGTON: I will ask that on notice.

Question on Notice No 6.27

Mr CHAIR: Member for Barkly, please restate the question for the record.

Mr EDGINGTON: In regard to the introduction of legislative provisions to ban spit hoods, what part of the police policy does not go far enough in banning the use of spit hoods on youth?

Mr CHAIR: Minister, do you accept the question?

Mr PAECH: I ask the Member for Barkly to rephrase the question. It is not a question of the Northern Territory Government; it is a question directed to the Children's Commissioner, which is a statutory body that has remit under my portfolio responsibilities. It needs to be directed to the Children's Commissioner.

Mr EDGINGTON: I am sure you would refer it to the Children's Commissioner, would you not?

Mr PAECH: Yes, but you need to ask the question in the appropriate way.

Mr CHAIR: For the minister to accept your question—otherwise, he will clearly not accept it—would you like to rephrase it?

Mr EDGINGTON: This is a question for the acting Children's Commissioner in regard to the position paper and suggestion that legislative provisions should be introduced in regard to banning the use of spit hoods on youths. Which part of the police policy does not go far enough in banning the use of spit hoods on youth?

Mr CHAIR: Do you accept the question, minister?

Mr PAECH: I am happy to. The position paper is public, so where we need to get to right now is a briefing by the Children's Commissioner.

Mr EDGINGTON: I just asked the question.

Mr PAECH: We will take it on notice, but it is publicly available right now.

Mr EDGINGTON: The question is different. The question is which part of the police policy does not go far enough in regard to banning the use of spit hoods on youth?

Mr PAECH: The Children's Commissioner will respond, as her independent statutory position enables her to.

Mr CHAIR: The minister has accepted the question that will be put to the acting Children's Commissioner. The question asked by the Member for Barkly has been allocated the number 6.27.

Mrs LAMBLEY: I am not very good at ignoring the elephant in the room. What impact has the failed prosecution of Children's Commissioner Colleen Gwynne had on the output, the productivity and the ability of the Office of the Children's Commissioner to function effectively over the last reporting period?

Mr PAECH: I do not think it is the elephant in the room. The Director of Public Prosecutions spoke about this previously. Ms Gwynne's current arrangements have been extended to 6 September 2023 whilst her employment discussions are finalised. The leave is paid leave and is consistent with the legislative requirements to do so.

Mrs LAMBLEY: What about the impact on the Office of the Children's Commissioner?

Mr PAECH: The arrangements are for Ms Nicole Hucks to act in the Children's Commissioner role. I will ask Ms Hucks to speak to the workload.

Ms HUCKS: Obviously, there has been a strong and uncertain leadership period for the Office of the Children's Commissioner since July 2020. We have had a previous acting Children's Commissioner, Sally Sievers, who fulfilled the role as a 0.5 FTE from 29 July 2020 until 2 January 2022. At that time, I commenced acting as Children's Commissioner from 4 January.

Over that time I have a comparison of the 2019–20 full year period compared with the 31 March 2023 period. Would you like me to detail those?

Mrs LAMBLEY: There are several years in between, are there not? Did you say 2019–20 compared with 2022–23?

Ms HUCKS: I have ...

Mrs LAMBLEY: Why have you missed out on the two?

Ms HUCKS: I have 2020–21, 2021–22 and 2022–23.

Mrs LAMBLEY: From when the court case or the problems emerged?

Ms HUCKS: Yes.

Mrs LAMBLEY: Okay, thank you.

Ms HUCKS: Which dataset would you like me to ...

Mrs LAMBLEY: It does not bother me—whatever.

Ms HUCKS: I will go with the dataset in relation to the workload since 2019–20 full financial year. In that year there were 166 complaint inquiries handled by the Office of the Children's Commissioner. This is compared with 562 in 2022–23 until 31 March. That is a 230% increase.

Mrs LAMBLEY: The number of complaints does not really reflect the quality and the effectiveness of the office. Complaints come in whether you have four people working or 15 people working. It is not a reflection of what is actually happening, with all due respect.

Mr PAECH: I acknowledge where you are coming from. I think there is a position, given the challenges that we have been presented in this space, and the desire to resolve them as quickly as we can now that the matter has been resolved. We are working through and have extended the Children's Commissioner's leave date until 6 September 2023. We are working with her about the employment being finalised.

The commission staff continue to work within all the frameworks and statutory roles and obligations. I have spoken to the acting Children's Commissioner about keeping an identification—if there are pressure points that are identified, that would then need to be taken into the midyear budget proposals. I am hoping that once the employment for the Children's Commissioner can be resolved, we can go to national advertisement to refill that position.

Mrs LAMBLEY: Without breaching confidentiality, is Ms Hucks staying in the role until the end of Ms Gwynne's leave? Is that the plan?

Mr PAECH: Yes, that is correct. Ms Hucks will continue to 6 September. By then we are hoping that we would have reached an agreement and that we can then go out for national recruitment to permanently fill the Children's Commissioner's role.

Mr EDGINGTON: I have a couple of questions on restraint chairs. Are there any situations where a youth might pose a threat of harm to himself or another youth that may require the use of a restraint chair?

Mr PAECH: That would be for the minister for youth justice, Minister Kate Worden.

Mr EDGINGTON: The position paper cites a doctor who says that restraint chairs should be used only as a last resort. Are there some circumstances where a restraint chair should be used in regard to youth?

Mr PAECH: You have read the position paper?

Mr EDGINGTON: I am asking the questions, Attorney-General.

Mr PAECH: I am highlighting that you have. You should provide a written question to Minister Kate Worden or to ask her in the next parliamentary sittings as it is youth justice.

Mr EDGINGTON: It is in a position paper prepared by the acting Children's Commissioner.

Are there any circumstances where a restraint chair could be used for a youth to protect themselves or another person?

Mr PAECH: I am unable to answer, due to the output. The acting Children's Commissioner may wish to provide commentary on that, but, ultimately, it is a matter for the minister for youth justice.

Ms HUCKS: In a briefing to you I am happy to provide a summary of concerns relating to the mechanical restraint chairs.

Mr EDGINGTON: I am happy to take a briefing, but at the moment are there any circumstances that you are aware of that a restraint chair could be used for a young person to protect themselves or another person?

Ms HUCKS: There are none that I am aware of.

Mr EDGINGTON: I will take up that briefing, thank you.

Over time, there have been very serious allegations made of harm to children. Recent data shows that child abuse in the Territory is almost five times higher than other Australian jurisdictions. What is being done to change that?

Mr PAECH: The acting Children's Commissioner can talk at length about the work that the Children's Commissioner does when complaints and notifications are raised. In addition to further requirements or

questions that you may have, they would relate to the portfolio of the minister who is responsible for child protection the Northern Territory.

Mr EDGINGTON: I will limit that question to the work that is being done by the acting Children's Commissioner to change or recommend a systemic change to bring down those rates of child abuse.

Ms HUCKS: Are you talking about child protection notifications?

Mr EDGINGTON: The information that we have is that, over time, serious allegations have been made in regard to harm to children. Recent data shows that child abuse in the Territory is five times higher than any other jurisdiction. What is being done by your office to try to bring those rates down?

Ms HUCKS: The Office of the Children's Commissioner is required to undertake monitoring of the *Care and Protection of Children Act*. As part of that monitoring, we review operational data of child protection. One of those datasets is the notifications that are received. We monitor and watch the trends that may appear, based on region, Aboriginality and gender. We make appropriate inquiries as a result of those.

Mr EDGINGTON: What are the trends you are seeing and what can be done to change those trends?

Mr PAECH: I will hand over to the acting Children's Commissioner. There is a mandatory reporting requirement in the Northern Territory for child protection notifications.

Mr EDGINGTON: We know that, thanks.

Mr PAECH: It will relate to what is a notification and what is a substantiation. That would be the work that the Children's Commissioner would then look at.

Ms HUCKS: Regarding the notifications in relation to child protection, as the minister has rightly pointed out, the Northern Territory as a jurisdiction has mandatory reporting responsibilities. That creates a workload for the Department of Territory Families, Housing and Communities to respond to, to analyse the reports of concern and then appropriately triage those concerns. In relation to workloads and throughput, that would be a more appropriate question for Territory Families.

Mr EDGINGTON: From the investigations coming out of your office, have you identified any systemic issues that you have made recommendations to the government to change and hopefully, over time, reduce those high rates of child abuse?

Mr PAECH: While the Children's Commissioner is preparing, I note that the Children's Commissioner came out recently in support of the work being done by SNAICC on a national level, particularly the work on young children in the Northern Territory. That is part of the role of advocacy and research.

Ms HUCKS: In the 2021–22 OCC annual report—which is the most up-to-date full financial year report that I can provide—there was a reduction in the total number of children in out-of-home care in the Northern Territory. That is a positive for this jurisdiction. However, as mentioned by the minister, of concern is that a larger proportion of those children are Aboriginal; that is, 90% of the children in care being Aboriginal and of those, 61.5% are not placed in accordance with the Aboriginal and Torres Strait Islander child protection placement principles.

Mr EDGINGTON: In regard to the high levels of child abuse in the Territory, have you identified any systemic problems within the child protection department that could potentially be changed to help bring down the rates of child abuse?

Ms HUCKS: In relation to substantiated harm we are looking at high rates of neglect, so notifications that relate to the underlying socioeconomic situations for children and their families. That is a big issue in the Northern Territory. One in three children in the Northern Territory live below the poverty line. Inadvertently child protection reports in relation to neglect, and that is poverty and associated issues, is quite a significant issue for the Northern Territory.

Mr EDGINGTON: Do you conduct interviews with young people being held in detention?

Ms HUCKS: Are you asking me individually or ...

Mr EDGINGTON: Does your office conduct interviews with children being held in detention?

Ms HUCKS: Yes, my office currently undertakes informal monitoring of youth detention centres, both Don Dale Youth Detention Centre and Alice Springs Youth Detention Centre, on a weekly basis in which engagements face to face with vulnerable young people are undertaken.

Mr EDGINGTON: Have you identified any complaints from youth in regard to the standard of care being provided in the Don Dale centre?

Ms HUCKS: Yes, a majority of complaints are around the conditions in youth detention.

Mr EDGINGTON: What are they? What is the nature of those complaints, without going into individual complaints? Is there a general theme coming out of those interviews?

Ms HUCKS: Yes. They would be the extended lockdowns of young people in their cells, the provision of food, the quantity plus the quality of the food, also the access to recreation programs and education.

Mr EDGINGTON: What hours are you talking about when you say an extended lockdown?

Ms HUCKS: That would vary. Is there any specific ...

Mr EDGINGTON: What is an extended lockdown? Does that mean a young person is being held in a room or a cell for longer than could reasonably be expected?

Ms HUCKS: An extended lockdown in relation to children would be where their time period elapses the time that is necessary for ideally a changeover in staff or a meals break for staff.

Mr EDGINGTON: Do those complaints form part of the 10 own-initiative investigations that you are undertaking at the moment?

Ms HUCKS: The own-initiative investigations in relation to under-14 are determined around the admission of a child under the age of 14, not necessarily based on an issue or a complaint or concern.

Mr EDGINGTON: In regard to admission, do you mean into detention? What would be the nature of your investigation around the admission of a child under the age of 14 into a detention centre?

Ms HUCKS: The aim and objective of an own-initiative investigation in relation to an under-14 is to obtain a historical perspective on the child protection matters for that child, including a review and analysis of their education attainment, particularly their attendance, as well as any health-related information.

Mr EDGINGTON: As part of that investigation would you be considering whether there was appropriate early intervention activity undertaken by the department that may have prevented that child from going into youth detention?

Ms HUCKS: Most definitely.

Mr CHAIR: Sorry, Member for Barkly, it is now 3.30 pm.

Minister, would you like to thank your staff?

Mr PAECH: I would. Before I do that, I would like to respond to Question on Notice 6.15 about the recidivism rate in Correctional Services.

Answer to Question on Notice No 6.15

Mr PAECH: In 2021–22, 59.2% of Aboriginal sentenced prisoners returned to prison with a new sentence within two years of release. Configurable data for non-Aboriginal prisoners was 31.6%; overall 56.6%.

Mr PAECH: I thank the Estimates Committee for the opportunity to present today. I also thank the Northern Territory public servants who went above and beyond in preparing the Estimates briefs for us today and their hard work each and every day.

Mr CHAIR: Thank you everyone for coming, especially Leonique, Gemma and Brett who were sitting here for the entirety of the session.

The committee suspended.

MINISTER KIRBY'S PORTFOLIOS

BUSINESS, JOBS AND TRAINING

AGRIBUSINESS AND FISHERIES

MAJOR EVENTS

DEPARTMENT OF INDUSTRY, TOURISM AND TRADE

Mr CHAIR: Welcome, Minister Kirby, to today's hearing and I invite you to introduce the officials accompanying you this afternoon.

Mr KIRBY: Thank you, Mr Chair. I will make some brief opening remarks. I will also introduce the agency staff who will be in with us for consideration of my output groups under the Industry, Tourism and Trade portfolios.

As Minister for Business, Jobs and Training and Minister for Agribusiness and Fisheries I am extremely pleased that the Northern Territory Government continues to support industry, businesses, employers and employees. For the Territory to achieve a \$40bn economy by 2030 we need to build our workforce and continue working to attract skilled and agile workers here. We have a variety of programs in place to do exactly that.

At the same time we have to create an environment that makes it easy and safe for business to do business and we need to make sure that we keep protecting our agribusiness sectors from the threat of trade-inhibiting pests and diseases. This is a lucrative sector that will continue to grow as we aim for a \$2bn industry by 2030.

The Northern Territory's agribusiness and fisheries sector is vital to our economy not only making substantial contributions to the economy activity, but also creating thousands of jobs. Just recently we launched an agribusiness strategy designed to increase the net worth of agriculture and aquaculture industries to more than \$2bn by 2030. We will be pursuing four strategic priorities:

- engagement with our broad community stakeholders to maintain their respect and support
- protecting what we have worked hard for in terms of our reputation as a supplier of choice for high-quality produce
- focusing our efforts on actions that activate the key drivers of growth, if we are to succeed in realising our vision
- continually adapting and innovating to capitalise on opportunities and to respond to biosecurity and climate change threats.

The message from our business community is loud and clear: business is good and the economy is growing, but we need more workers. We know that more people moving around the Territory equals more jobs and is a key source of investment into the new and existing Territory businesses. That is why we continue to invest in jobs and training and skilling the Northern Territory.

The Territory government will continue to back industry and businesses through a range of services, supports and grants that are available to them through the Department of Industry, Tourism and Trade and across other agencies. Our budget is about continuing to deliver the jobs and training necessary to grow our economy and reinvestment into our business programs that have consistently delivered on building capacity, supporting innovation and backing a sustainable agribusiness and fisheries sector, including additional funding to strengthen our biosecurity front line.

I look forward to answering questions in the agriculture, fisheries and biosecurity outputs, the business innovation and workforce output group, and the events output under Output Group 3.0.

With me today is our CE, Mr Shaun Drabsch. We have Ian Curnow, Philip Hausler and Joanna Frankenfeld. We have quite a number of other department people, perhaps we will introduce them as they step forward to assist.

Mr CHAIR: I invite questions relating to opening statement from the shadow minister.

Mr BURGOYNE: Has a replacement been identified for the former deputy chief executive officer position?

Mr KIRBY: I believe that process is ongoing. There has been no announcement as yet, but we are well entrenched in that program of replacement. It is a good opportunity for me to thank Luke Bowen for his tireless efforts, energy and dedication to the industry across the Northern Territory. He is a well-respected person in the agriculture and cattle industry respectively and a hard person to replace. That is ongoing, and there will be an announcement in coming weeks.

Mr BURGOYNE: How long has that position been vacant?

Mr KIRBY: We believe since about March. That recruitment has been ongoing.

Mr BURGOYNE: About three months. What level was the former head of Agribusiness, the deputy chief executive position?

Mr DRABSCH: I can answer that. Luke Bowen held an ECO 4 position, which he historically held when he was in the position of head of NADO in the old Department of Trade, Business and Innovation and brought that across.

As a result of review of position levels, the deputy CEO position is now an ECO 3.

Mr BURGOYNE: That position has been downsized?

Mr DRABSCH: No, it is an independent process we undertook. A responsibility review that was undertaken ...

Mr BURGOYNE: The former deputy chief executive was an ECO 4; the new position that is being advertised is an ECO 3. Is that position now not as important?

Mr DRABSCH: Not in my view. That would not be my position, but there is an independent process that applies across government for the categorisation of positions.

Mr BURGOYNE: Why has that remuneration been reduced?

Mr DRABSCH: Because of that process we undertook.

Mr BURGOYNE: That now sees it as not being as an important position in the department.

Mr DRABSCH: It still is an important position; it is a deputy CEO position. The candidate who we are in the process of finalising at the moment is a highly suitable candidate who will perform the function to good effect.

Mr BURGOYNE: I hope so, and I hope they will be remunerated for that work.

You spoke in your opening statement about engagement, ensuring you could facilitate a \$2bn agriculture industry. Have you had any contact with the owners of Auvergne Station in the past year?

Mr KIRBY: I have not personally had conversations with the owners of Auvergne Station. I understand why you are asking that question. We get out and about and have meetings with a range of different stakeholders. I have not, in recent weeks, met with those people. We will be looking to engage with the owners of the station in the near future. We understand they have made an operational decision, and we will be assisting them as much as we can going forward to make sure that any future opportunities can be realised.

Mr BURGOYNE: Did you or the department provide any advice to Auvergne Station concerning the application for land clearing on the station?

Mr KIRBY: As you would know, the land clearing applications come through the minister for Environment. I understand she answered a range of questions on that the other day.

I will happily double-check whether there was any operational advice given from our department. I will ask Shaun to add whether there was any operational advice given to those people.

Mr DRABSCH: The department provided comment on the land clearing application, which was considered by the Department of Environment, Parks and Water Security.

Mr BURGOYNE: What was that comment?

Mr KIRBY: I understand this was not part of what we discussed in the opening statement, but I am happy to indulge and given that Phil is at the table, to allow him to shed some light, operationally, on the conversations that took place.

Mr HAUSLER: As part of the application consideration process, the application was forwarded to us for formal comment by the Department of Environment, Parks and Water Security. We provided supportive comments for that application.

Mr BURGOYNE: Fantastic. Did you or your department provide any advice to the federal Environment minister before her decision to step in and block the land clearing permit granted by the Pastoral Land Board to Auvergne Station?

Mr KIRBY: No, we did not.

Mr BURGOYNE: Was there any advice provided to the federal Environment minister by your department?

Mr KIRBY: No, not by our department.

Mr BURGOYNE: Did you or your department have any discussions with the Attorney-General or the Department of the Attorney-General and Justice at any time concerning the land clearing permit granted to Auvergne Station?

Mr KIRBY: Not to my knowledge. I just checked with our chief executive officer and not to his knowledge either.

Mr BURGOYNE: Are you backing agriculture and ensuring that these processes can take place? What appears to have happened is that a process was gone through, a land clearing permit was granted and then somewhere along the line, someone has stepped in and sought to put in roadblocks for this application so that it was then revoked.

Are you and your department ensuring that there is every opportunity for agriculture to thrive in the Northern Territory or will we continue to see challenges and industry shut down as a result of those challenges?

Mr KIRBY: I understand your question. I will provide a couple of points of clarification. That application was initially granted. Our department supports industry. That application was then rescinded, and I understand the circumstances under which you talked about.

We work closely with our federal counterparts. Murray Watt, the federal minister for Agriculture, and I work closely and have a good deal of very open and honest conversation. He is a regular visitor to the Northern Territory. I can guarantee anybody listening and industry more broadly that he shares the same passions as we do for broadening our horizons and expanding the agricultural estate through the Northern Territory. He will continue to assist us in any way that he can when those opportunities arise in the future.

Mr BURGOYNE: Is that \$2bn agricultural industry possible when a relatively small land clearing permit at Auvergne Station cannot go ahead without challenge?

Mr KIRBY: We are in a unique time frame in the Northern Territory's history. There is always a range of challenges that can be made for different applications. You can rest assured that we will support applications; we are committed to growing the agricultural estate. I am more than happy during the course of questioning

this afternoon to explain the processes we have in place and how we support the industry as much as we possibly can.

Mr BURGOYNE: That paper relating to the \$2bn agricultural industry by 2030 has been released. There has been a lot of talk in the media as to who was consulted on that. Was any consultation done with the land councils prior to the strategy being released?

Mr KIRBY: I was proud to release the agribusiness strategy and proud of the work of our department with stakeholders. The land councils were also a stakeholder and made a statement. I understand that is not always the way that things are reported. We know we will grow the agricultural estate and to do that we must have the land councils on board.

There has been high-level and overarching consultation to start with. As we move around the Northern Territory, the more we talk to traditional owners and pastoral people, people on the land, cattlemen and NT farmers, we see that they all have a clear passion to work together and grow the agricultural estate. We look forward to helping as much as we can.

Detailed engagement was undertaken. There were workshops with land councils, fishing industries, agricultural and pastoral communities and government agencies—a public, have-your-say process as well.

Mr BURGOYNE: You know the article I am referring to where land councils said they were not properly consulted about the \$2bn agriculture industry and the proposal for increased land clearing into the future?

Mr KIRBY: Yes, I am aware of the article.

Mr BURGOYNE: Fisheries is something I am sure many Northern Territorians are proud of, especially across the Top End; not so much in my area of Alice Springs. This year access to the Mini Mini and Murgarella fishing grounds were shut down following a request from traditional owners. Have these fisheries been reopened?

Mr KIRBY: I will double-check with the Chair. I am happy to answer these questions. It is a common concern and topic through the fishing industry. Are we still on the opening statement or have we ...

Mr BURGOYNE: We certainly are. The opening statement was so broad.

Mr CHAIR: I am the Chair, so I will preside over it. You may be eager to answer. Minister, to confirm, you were about to ask when the Member for Brainting jumped in. Please continue.

Mr KIRBY: Have we moved into the outputs? If we have, we are up to Output 1.2, Fisheries, so we have finished with Output 1.1, Agriculture. Is that the case?

Mr CHAIR: If your opening statement does not contain Fisheries and you want to defer to the appropriate output, you are the minister and, at your behest, you can answer at the output.

Mr KIRBY: I am more than happy to answer those questions; I was just querying where we are up to.

Mr BURGOYNE: This year access to the Mini Mini and Murgarella fishing grounds were shut down following a request from traditional owners. Have these fisheries been reopened?

Mr KIRBY: Those fisheries have not been reopened. Those negotiations are ongoing through the statutory authority, which is the Northern Land Council. We will continue to work with those bodies and the traditional owners. There has been a number of significant changes that have happened with those negotiations. Given the importance of those negotiations, I will hand to Ian Curnow to give a more fulsome operational explanation.

Under the Aboriginal Affairs portfolio and the Chief Minister and Cabinet ministry, they take the lead on those negotiations. I am more than happy at some stage through the course of the afternoon for us to update on a slight change of tack and some operational funding that we received through the budget this year that gives us the capacity to have more compliance officers on the oceans around the Northern Territory. One of the major concerns of traditional owners was that there were people who were not invited—that they were not notified of—who were fishing in their areas and were not adhering to rules and regulations.

Mr CURNOW: The Mini Mini area remains closed at the moment. My understanding is the mud crab fishermen who had previously fished in the area relocated their fishing operations. One barramundi fisherman is still fishing in that area, but outside the intertidal zone—outside the area that is owned by Aboriginal people.

The minister indicated a way forward in the negotiations. The NLC has been clear that commercial operators will require a section 19 under ALRA. The NLC is responsible for arranging that process. It has received federal funding to put a team of people together to consult around the coastline—not just in the Mini Mini/Murgenella area, but across all areas. It has indicated that process has just now commenced and make take some two to three years.

All those other areas remain open. The department has offered to assist where needed. It has not been taken up as yet.

Government is still negotiating for recreational access, so while the NLC is being clear that commercial access must be made through a section 19—the same as it is on land—it will still be prepared to put forward offers from government for recreational access like the five that are currently in place across a number of areas. Cabinet has recently agreed to enhance that offer in funding and support for marine rangers.

The minister has also indicated that there is a new \$1.7m going to the Fisheries area of the department this year to establish a fisheries compliance unit. It is important to note that is not instead of the water police; it is an additional compliance service. That is largely to address a lot of those traditional owner concerns that police focused on priorities around human and property safety and other elements; the fisheries stuff sometimes is not their number one priority in areas.

This new area will be set up specifically to work a lot more closely with rangers, which will be building on the training programs we already have in place around certified training across the marine rangers. That has been an activity that this department has undertaken over the previous few years.

By having a compliance area newly established this year within the department, we will have the ability to do joint patrols with rangers and be a lot more responsive to any concerns they have about abandoned gear or illegal activity, as well as focusing on some of the higher risk recreational issues around Darwin regarding jewfish and high-risk species.

Regarding recruitment around those positions, obviously the money becomes available in July, so we are ramping up at the moment to get the JESing and those things done to start recruiting to those positions.

Mr BURGOYNE: There was a lot in that answer. I just want to go through it if I may. The barra fishermen—who, to my understanding, were affected by these changes—are now back fishing outside of the zone. There are five section 19s in place. Are they with commercial fishermen?

Mr CURNOW: Apologies. The five were the agreements the government already had in place from previous years like the Daly River, Borroloola and Wadeye. Those five agreements, which cover recreational and commercial fishing, still remain in place.

Mr KIRBY: They would be known as Blue Mud Bay agreements.

Mr BURGOYNE: How many section 19 permits have been issued to commercial fishermen for access to intertidal zones to date? Do you know how many that is?

Mr KIRBY: I will pass to Ian for whether we have that specific information with us. I am not 100% sure.

Mr CURNOW: We do not actually have the numbers on what section 19s the NLC might grant. Anecdotally I have heard of a few fishing tour operations and maybe some commercial operators that may have them—but the broader issues, given fishermen are trying to get access around the coast. The NLC, in a recent meeting, indicated that they are just starting those consultations now. We would have to get that number off the NLC.

Mr BURGOYNE: To your knowledge currently, do you not know exactly how many applications have been made for those section 19s?

Mr CURNOW: My understanding is that all affected barramundi, mud crab and even some other fishermen that thought they might want to access waters overlying Aboriginal land made an application in September

last year. My understanding is that those applications have not yet been assessed by the NLC, nor given an answer to those commercial fishermen, but that is an NLC-run process.

Mr KIRBY: I was going to clarify that no part of that comes through our department. It is a negotiation between traditional owners, the Northern Land Council and the proprietors of the operation.

Mr BURGOYNE: What role is the Territory government taking in assisting commercial fishing operators to secure section 19 leases?

Mr KIRBY: We are in constant contact with the Seafood Council, assisting them in any way, shape or form that we can, and working closely with the Northern Land Council. It is a negotiation between the traditional owners, the Northern Land Council as their representative and the proprietor of the business. There is a number of ways we can support, but we do not get directly involved in the negotiations.

Ms BOOTHBY: There was mention of an additional cost being borne for new fishing compliance area officers—I am not sure what you are calling them—and it was not a replacement for water police but to assist on the waters. Is that to ensure that people who are illegally fishing in areas where there are still consultation years going by—is it to deal with those people?

Mr KIRBY: It was through a recommendation from the department through the traditional budget process. It was identified that the water police have a range of duties and that they could do with some assistance to enforce absolute compliance. It was not specific to any particular area, as far as I recall. It was more generally across the board.

We look forward to working closely with sea rangers and people on country to upskill them on procedural and legal matters that have to happen before people can instigate those compliance matters. The best way to do that was to go through the fisheries officers who already had the legal capacity.

I will hand over to Ian for a more fulsome explanation.

Mr CURNOW: As I alluded to in the last answer, one of the key issues of traditional owners in deciding whether they want to do deals with government, particularly around recreational access, has been their concerns about the responsiveness to compliance issues and the inability of police to be able to quickly deal with issues they raise. This has been a key thing they want to see as part of the deal, so this new funding and new unit will very much improve that responsiveness.

Ms BOOTHBY: What is the funding for that new unit?

Mr CURNOW: It is \$1.7m in staffing and there is also some capital first up for the vehicles and gear.

Ms BOOTHBY: How much is the capital?

Mr CURNOW: It is \$500,000.

Ms BOOTHBY: You said that new unit will start in July; is that right?

Mr CURNOW: The funding comes through in July. We are trying to get an initial consultant or manager position in first up to help with the process of setting up the unit and devising that. The recruitment process will take a number of months to get a full team up and running.

Mr GUYULA: Following the Blue Mud Bay decision, I understand there was an agreement for a full review of NT Government fisheries legislation and policy and fisheries management. Where is this review up to?

Mr KIRBY: You are correct; a number of high-level commitments were made and the overarching review of the act was one of those. Along with many other pieces of legislation in the Northern Territory, it was written quite some time ago. There was a commitment to update it and bring it into line, not just with more contemporary language, but to acknowledge traditional owners and their significant part to play in managing the oceans across the Northern Territory. I am happy to see whether there is other information about where that is up to. It is in the legislative calendar to be done this year.

Mr DRABSCH: We are in the process of establishing a steering committee to review the terms of reference for the *Fisheries Act* review. We hope to have a discussion paper out later this year that can form the basis of public consultation, which would then inform development of legislation over the course of 2024.

Mr GUYULA: How many barramundi licences are currently granted in the Northern Territory? How many of these licences are held by traditional owner enterprises?

Mr KIRBY: Is that generally for fishing licences across the board?

Mr GUYULA: Yes.

Mr KIRBY: It is an operational question, so I will hand to Ian Curnow for an update on that.

Mr CURNOW: There is the equivalent of 10.3 full barramundi licences in operation—full being a full 10-unit thing—but some licences are less than that. My recollection is there are 14 barramundi licences remaining. I do not think at this stage any more Aboriginal people hold licences.

If you go back in history at one stage we had well over 100 or 120 licences. Numerous people across the Territory, including numerous Aboriginal people, own licences, but through a series of buybacks and other things, most people got rid of their licences. At this stage I do not believe, off the top of my head—we might need to take it on notice to clarify—an Aboriginal group owns one at the moment. They own some mud crab licences. There has been some talk of interest from the newly formed Aboriginal Sea Company in potentially buying some of those licences.

Mr GUYULA: What funding is allocated in this budget to develop programs and/or pathways to support Aboriginal participation in the fisheries sector?

Mr KIRBY: I have a general statement and if we need to go into any specifics, I will hand over.

That has been a focus of ours because no matter where you travel—whether it is down to Katherine, Tennant Creek or Alice Springs and you are talking to pastoralists or whether you are across the Top End and talking to people who live in and around the water—there is a real passion to try to engage more strongly with Aboriginal people and make sure that we have those opportunities.

The blacklip oyster program out at South Goulburn Island is a beautiful example. It is not easy work commercially to get those oysters off the island. Through our very recent aquaculture conference and some of the oyster workshops that happened around that, we had a large amount of oysters come off the island successfully. It was a lot of work to make sure that catch was kept at exactly the right temperature and arrived here in Darwin in pristine condition.

We know how important that is and there is a real passion to try to grow Aboriginal businesses within the fishing industry. I will hand to Ian who can enlighten us more about the commitments within this budget.

Mr CURNOW: The minister has outlined some of the rock oyster work that is happening on South Goulburn Island as a result of the new money we received in last year's budget. We have also extended that trial out at Groote Eylandt, so some of that oyster work is happening on Groote. The idea of both those trials is to nail all the remaining production and hatchery issues to make sure we can get a viable supply to as many communities as we need to. We are also doing some work around quality assurance and making sure that oysters coming into market are fit for human consumption. We are just finalising a bit of work.

Once the two pilot projects that sit under that are nailed, they will then open up the opportunity for more communities to become involved. The Tiwi community has been interested in oysters for a long time and a range of other groups have been putting their hands up as well, including some out in your area, I believe. I would say probably by the end of this year we will be in a position where we can start commercialising that on a much broader scale and getting more communities involved. That is just the oyster work.

The department is still very involved in marine ranger training. We run certificate II and certificate III training courses. As I mentioned in response earlier, the establishment of the new compliance team within Fisheries will further that work, so we will do a lot more joint patrols. As well as the classroom training that is delivered through the certificate training, we will be able to do a lot more field-based training to enhance those skills to enable more Aboriginal rangers to be appointed as marine inspectors. That is a very large component of training.

The third area is the Aboriginal Fishing Mentor Program that we have been undertaking. We have an Aboriginal fishing coastal licence that any community can apply for. We changed that two years ago to allow the take of any species. Previously, it was only around non-managed species and now they can take

mackerel, barramundi and all those fish. We have had a mentor program in place that goes out to any interested communities to again assist them with everything from commercial fishing techniques and gear control to cold chain management to make sure that the fish going to market are appropriately cared for so that there is no disease risk.

Just in recent months we have transferred that program over to the new Aboriginal Sea Company on a trial basis. We have provided our two staff and the funding for that for a 12-month trial to see how it goes. It felt that government was filling that role because there was no-one in the commercial space providing it. We are monitoring that at the moment to see whether that program can be more successfully delivered by the Aboriginal Sea Company, but we have provided those resources.

We will be happy to provide you with a separate briefing, Member for Mulka, if you want to go through in detail about other programs in the Arnhem Land area.

Mr GUYULA: How are commercial fishing operations in the Northern Territory currently monitored? What are the total allowable catch limits, quota, of fish per commercial licence? Could you provide a breakdown for barramundi, Spanish mackerel, snapper varieties, coral trout and mud crabs?

Mr KIRBY: That is a really good question and it is a good and opportune time to acknowledge the fishing industry across the board. A large range of work is occurring to try to identify different catches, catch methods and the types and volumes of catches. Traditionally, I could call it data poor. The Northern Territory Government has not had the capacity to get all that information back from the people who are fishing across the Northern Territory. We certainly would not be alone in that within the fishing industry. A lot of work is going into that.

It is acknowledged by industry, traditional owners and the NLC in the questions they have been asking recently that there are real sustainability queries from the NLC, sea country group and traditional owners.

It is an important question and I am happy to acknowledge it. I will see whether Ian can add more detail. It may be a question we have to take on notice, given the level of detail required.

Mr CURNOW: In terms of monitoring the commercial fishery, it has always had to return catch records. Historically, as the minister indicated, that was through paper-based systems. That is being converted to an electronic system to get real-time data. We have been running an active business improvement program in Fisheries, whereby getting that data in electronically, we can have real-time dashboards to monitor how much of the catch has been taken in different months.

Just about all our fisheries in the Northern Territory now have satellite-based vessel monitoring systems. All the barramundi and crab boats and the offshore boats have vessel monitoring systems. Both we and the police can track where those boats are at any time of day, including the mother boat in a barramundi operation but also the fishing dories that go away from it. Using that technology, we can enforce closure lines to know where boats are at particular times to give us an idea of what is going on.

In addition to that, we are trialling cameras in some of the fisheries that have high-risk interactions with threatened and endangered species to monitor the catches of endangered sharks and other things like that. We also have an active innovation project with the new innovation money from last year. That is looking at using artificial intelligence technology instead of having observers to view all that camera footage to try to work out what is going on. The project is to convert the data so that artificial intelligence can automatically monitor the fish coming through on cameras aboard a boat to pick out which ones are endangered species and also counting the fish. That is the way of the future in terms of monitoring it.

Regarding your question about how many fish people can catch, we can probably on notice give you, on a spreadsheet, the rules in different fisheries. Essentially, most of our fisheries have moved to quota. This means there is a total allowable commercial catch that is set and is divided into individual quotas for operators within that fishery.

That is different from the barra fishery that is under review at the moment. It has an older style management regime based on a limited number of licences. Those licences have restrictions about the amount of gear that can be used. A full barramundi licence can have 10 units, which is 10 lots of 100 metres of barramundi gillnets, so one kilometre. There are some licences that are allowed to use only 500 metres or 300 metres.

Similarly, the crab fishery does not run by quota because crab catches can be highly variable from year to year, based on environmental conditions. Its restrictions are based on the number of pots people can use. Typically, a full crab licence can use 60 pots, but those pots are tradable between different licences.

Question on Notice No 7.1

Mr CHAIR: Member for Mulka, please restate the question for the record in relation to the quotas.

Mr GUYULA: How many commercial fishing operations in the Northern Territory are currently monitored? What is the total allowable catch limit, quota, of fish for a commercial licence? Could you provide a breakdown for barramundi, Spanish mackerel, snapper varieties, coral trout and mud crab?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Mulka has been allocated the number 7.1.

Mr BURGOYNE: The Aboriginal Sea Company was mentioned. How many commercial fishing licences does it currently own?

Mr KIRBY: The Aboriginal Sea Company was a commitment of ours to set up a peak body, a statutory authority, that could start to enhance the opportunities for Aboriginal people within the fishing industry across the Northern Territory.

I will perhaps check with Ian Curnow whether he has specific detail, given it is quite an operational query about exactly how many licences it might hold.

Mr CURNOW: I met recently with the Aboriginal Sea Company and my understanding is that it has purchased 10 mud crab licences. I cannot say for certain, given it is something it has traded with. I would have to check with it for an answer. It has shown some interest in barramundi, but I do not think it has bought any as yet. It has shown some interest in coastal line and mackerel licences as well, but my understanding is that it has not yet purchased any.

Mr BURGOYNE: You spoke about strengthening biosecurity in your opening statement. I notice that in the budget books the biosecurity funding is lower this next financial year. Should we be increasing this funding, given the significant threats we are facing?

Mr KIRBY: People with some different information will come to the front. I am not necessarily saying that we are finished with the Ag portfolio, but we will have to switch out so that we can get you the detail on that.

Just before I took over the portfolio there was an investment by the previous minister of over \$1m. It might have been \$1.9m. We have worked really closely with the federal government and secured another injection of close to \$4m, whilst in the last budget round we injected another couple of million dollars ourselves as well.

Quite often with biosecurity threats there is a lot of residual funding that comes in through federal agencies, depending on what sort of programs are being run at the time. That means that the final figure for the Northern Territory might come up or down, depending on the type of funding and whether it is related to perhaps the banana freckle program that we are currently undergoing.

I will hand over to Lorraine Corowa to explain a little more about the infinite detail related to that query.

Ms COROWA: The budget papers outline the budget position. It looks like it is going down from the estimate; however, the estimate includes a range of externally funded projects and our national response amounts are in there. The baseline funding has actually increased from the Territory government in terms of the appropriation. In 2022–23 the budget was \$17.054m and in 2023–24 the budget will be \$21.54m.

Mr BURGOYNE: Can you repeat that figure?

Ms COROWA: In 2022–23 the budget was \$17.05m. In 2023–24 the budget will be \$21.5m. The baseline budget has increased. The estimate will go up and down, depending on our emergency responses. The minister was correct; we have funding for banana freckle, which is a national response. About \$6.5m worth of funding is coming in for banana freckle, and we have money for a browsing ant response, as well as a range of other projects my team is able to win funding for from various Commonwealth Government and/or industry funds.

Mr BURGOYNE: Of the federal government funding we just spoke about, how much has been committed in total to the Territory to help prevent lumpy skin disease and foot-and-mouth disease for the 2022–23 and 2023–24 periods?

Mr KIRBY: It was a remarkable set of circumstances where, shortly after the federal election, we were alerted to an outbreak in Bali of foot-and-mouth disease. Again, it is an opportunity for me to thank the team for the hard work they did. Luke Bowen was still here at that stage.

We are extremely fortunate that Murray Watt has been a regular visitor. He was keen to lock in behind us and inject some funding into the Northern Territory to make sure we could get all the protocols and procedures in place that we needed to. I will hand to Lorraine to explain a little bit about exactly where that funding is up to at the moment.

Ms COROWA: Minister Murray Watt committed money through the Northern Australian Coordination Network, which the Territory put forward as an idea. Minister Watt was kind enough to allocate \$4m across the northern jurisdictions, of which the Northern Territory will receive \$2m—\$1m per annum.

That money is for establishment of a lead for the network, which is inside the biosecurity team, and also a lead for industry. We are working with the Northern Territory Cattlemen's Association, and they have been provided funding for that lead position and for an engagement person to work with cattlemen around increasing preparedness; looking at biosecurity planning; and business continuity planning, which is an important part of getting ready.

Mr BURGOYNE: That ties in nicely to my next question. That funding created one position through NTG, and supposedly two positions would be provided to NTCA. How many of those positions have been filled to date?

Ms COROWA: The lead position has been filled, inside the biosecurity team. NT Cattlemen's Association has allocated Romy Carey to undertake some of the work, but they are also looking at engaging some other staff as well.

Mr BURGOYNE: Has the NTCA received its portion of the funding as at today?

Ms COROWA: I hit the pay button yesterday.

Mr BURGOYNE: How timely.

Mr GUYULA: How many fisheries legislation infringements relating to commercial fishing were identified in the current reporting period of 30 June to 30 March?

Mr KIRBY: That is a good question. I will hand over to Ian Curnow to see whether he has that information with him. I acknowledge that the sector and industry and people within our department—people like Ian—identified that there was not enough being done to make sure we had those compliance matters under control across the Northern Territory. We put forward a good budget ask, which we were lucky enough for Treasury to agree with. We look forward to expanding on that into the new financial year.

Mr CURNOW: As mentioned in one of the earlier questions, compliance is currently only done by the water police. While we will pick up that capacity this year, I will be better able to answer off the top of my head next year. At this stage, we will probably have to take that on notice because we will need to direct it to the water police for a response.

Question on Notice No 7.2

Mr DEPUTY CHAIR: Member for Mulka, please restate the question for the record.

Mr GUYULA: How many infringements to fisheries legislation relating to commercial fishing were identified in the current reporting period from 30 June to 30 March?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr DEPUTY CHAIR: The question asked by the Member for Mulka has been allocated the number 7.2.

Mr GUYULA: What funding does this budget allocate to ensure healthy and sustainable fish stocks are maintained in the NT? Please provide a breakdown of which agencies are funded and the total funding they receive to undertake the monitoring and compliance of commercial fishing activities.

Mr KIRBY: It is an important question. I will hand over to Ian in a moment to explain more of the detail.

We do a range of work with the peak bodies, whether that is through the guided fishos, AFANT, the Seafood Council. What significantly and repeatedly comes back to us is that one of the main things people across the Northern Territory want to maintain is to ensure that there is an abundance of catch available. Sustainability of catches across the Northern Territory is paramount to us.

We invest heavily in making sure that through our RFAC, the Recreational Fishing Advisory Committee, we have people from across the board and different industries at different times—there are some surveys out at the moment that I will get Ian to talk to in specific detail. We have some recreational fishing development plans that will be coming back to our desks shortly. It is an area we work closely with industry on. We are extremely passionate about it and invest heavily in the area.

Mr CURNOW: It is fair to say our entire budget is dedicated to the sustainable management of fisheries. In the earlier answer I outlined that some of that is for Aboriginal capacity building and things like that. Ultimately this year's budget of \$14.356m includes the new \$1.7m for compliance.

Obviously, within that there is a number of external research projects to get up and running. By way of example, without predicating too much, in the next few weeks we will be getting some new CRCNA funding to extend the oyster and jewfish work, which is a great outcome. Those things happen opportunistically, which will add to our budget.

If you disregard the new \$1.76m for compliance, that budget is generally pretty equally split between our management research and aquaculture areas. Within aquaculture broadly that will include some of the Aboriginal training capacity areas. The budget is about a 30% split between those areas.

There is a wide diversity of work that goes into that across the research area. We do everything from assessing and monitoring all the commercial catch records that come into commercial fishing to doing our own independent fishing monitoring, both from biological samples commercial fishermen might supply or collecting our own or getting Aboriginal ranger groups to collect them. All that biological and catch information goes into stock assessment processes to determine what those total allowable catches should be.

The management area of the department works through with the commercial, recreational and Aboriginal groups to work out how best that catch should be shared amongst all groups and comes up with management arrangements. That will be an active piece that is looked at as part of the *Fisheries Act* review, which the chief executive mentioned earlier. Particularly in terms of how we better engage at a regional and local level with Aboriginal groups. While it is a legislative requirement at the moment, it is clear that we need to consult a lot better on the ground, which will be a real focus as part of that review.

The third tier is about the aquaculture programs, which includes the current oyster work, as well as supporting some of those commercial enterprises. If the minister is happy with it, I am more than happy to give you a separate briefing at some stage to go through all of those program areas in detail to explore which areas you are particularly interested in.

Mr GUYULA: Mr Chair, before I hand over to someone else, I was very interested in speaking on this issue with the fishing industry. The Member for Braitling just mentioned the Mini Mini/Murgenella incident with our fishing industry. They had to shut it down and go through the proper consultation and process with the Northern Land Council through section 19.

I am also a TO of Buckingham Bay and Arnhem Bay. We heard reports that people were not going through the proper—what we stated about the measurement, size and kind of fish that can be caught. We found that many fish were wasted; they were lying in the water. That is why we shut it down until proper consultation could be done through the NLC, TOs and section 19.

I am not sure if you are part of that. Were you working on that?

Mr KIRBY: I am happy to give a response. As I mentioned earlier, we do not control the section 19 negotiation process. As an acknowledgement from us, we want to advance Indigenous industries within fishing across the Northern Territory. That cannot happen if people are doing the wrong thing in our waterways. I respect the decisions that have been made out there.

As we mentioned briefly through Aboriginal Affairs, the minister and the Chief Minister and Cabinet, which head up those negotiations. This is an honest admission that we know that if it was not for COVID and the last few years, we would have had better access to remote communities and we would be further down this track than we already are. I know that the Chief Minister and the Chief Minister and Cabinet office have good people who are extremely keen to get deals done.

We are keen to find out the concerns of traditional owners—like what you have just mentioned—to ensure we assist as much we can. Compliance units are assisting traditional owners. There is a range of ranger groups that already do a lot of that training and compliance on their country. That is exactly how it should be.

There is an absolute acknowledgement from us that we would love to be further down the track, but we will continue to work with traditional owners and respect the decisions that they have made. We work closely with the NLC. We have had some people more recently in the last few rounds of negotiations understand that we have not landed at the final position yet. I can honestly say that we will never walk away from the table. If there are things that we cannot agree on, those are the things we will continue to work through in the future. If a traditional owner group ever says to us, 'That is it; no more negotiating. We do not want to.' We respect and abide by that. However, until that time we will always be at the table negotiating in good faith.

Some strategies have been put in place that Ian may like to expand on that give us a better opportunity to make headway—we think—over the coming months and years.

Mr CURNOW: That is very good timing. We just received a letter in the last few days signed by a number of traditional owners from the areas you mentioned. I do not think you were one of the signatories, but some of your colleagues over there clearly were. We are in the middle of liaising to get down there and meet with the rangers and the TOs to talk through the concerns you mentioned.

We have also been rolling out training programs in fisheries management. We are taking rangers and traditional owners through that. It is a two-phased approach; one is to give traditional owners a better understanding of how we manage and monitor fisheries using western science and, at the same time, to get feedback from traditional owners and rangers about their observations and the controls they have in place around customary and their own take. It is a two-way shared learning opportunity.

As I mentioned, we got that letter in the last few days, and I understand there is a meeting being scheduled for early July on country. That will be a good discussion.

Mr GUYULA: I do not know about Murgarella and Mini Mini rivers, but in Buckingham Bay and Arnhem Bay we only wanted to go through this proper consultation with the NLC through the section 19 so that fish are being properly fished and no waste fish is being thrown away. That is why we temporarily closed it until proper consultation is done.

Mr KIRBY: I am happy to reiterate about sustainability and the acknowledgement of those detailed queries coming in from traditional owners saying that they would like to see the data before they make the decisions. We will be doing that body of work and working as hard as we can to make sure traditional owners have all the information in front of them and for anybody doing the wrong thing on country or on the water to be pulled up to do the right thing.

Mr GUYULA: Thank you.

Mr BROWN: I am not sure whether this question was asked or answered earlier. The majority of our fishos do the right thing, but there is a small minority who do not. I want to know what is being done to improve fisheries compliance in the Territory.

Mr KIRBY: That was something we covered earlier. It is a real focus of ours. There was money allocated in this budget to ensure we can improve compliance training opportunities across the Northern Territory. Recruitment is under way for a compliance manager to get that expertise back within the NT Fisheries team.

It is a good opportunity for me to acknowledge that they work closely with NT Police, marine ranger groups, land councils and the ranger teams. This extra funding will give us the capacity to grow that into the future. We want to build a compliance team that has the capacity to get around, make sure and acknowledge that people are doing the right thing.

You are right; there is a small portion of people who do not do the right thing. I think the Member for Mulka has given some good examples of that and where it puts risks on fish stocks. We want to stamp that out and make sure we are creating opportunities.

These are fantastic training opportunities for Indigenous people on country. There is a large range of rangers already doing that body of work, compliance work and upskilling on country. We look forward to doing more of that into the future to create opportunities and make sure we continue to fish harmoniously across our waters in the Northern Territory.

Mr BROWN: The government has committed \$50m in recreational fishing infrastructure. Can you tell me what will be delivered from that?

Mr KIRBY: For where we are up to with those projects, I will happily hand over to Ian.

We have done a large range of projects, including upgrades to boat ramps, CCTV and toilet facilities. Anybody who was at the Daly fishing the Barra Classic and other local competitions would have seen the wonderful additions of toilet blocks and parking facilities so that people do not have to walk halfway back to the Banyan lodge to park their vehicles on the side of the road.

The artificial reef program was probably one of the cutting-edge projects we had, with four massive reefs of over 100 modules laid through that program. There is real data coming back about the types of fish and stock they are attracting. There is still a body of work to do, with different boat ramps and facilities. There are some land-based facilities we are continuing to work out way through with councils and other bodies. It is a great initiative.

A good range of that funding also goes into opportunities to fund kids programs through our fishing clubs, which are fantastic initiatives. We look forward to continuing to do that.

Mr CURNOW: As the minister indicated, over \$30m has been invested by government to date through that infrastructure program. In the current financial year, the key projects were the completion of the new car park and toilet areas at the Daly River, which has been a great facility if anyone has been down there to have a look. That was just over \$5m. Also the improvements to the graded road and car park and ramp area at Point Stuart was completed at a cost of \$7.46m. The completion of those two projects was the key focus the Recreational Fishing Advisory Committee had identified in the current financial year.

As of yesterday, a design tender was issued for improvements to the Dundee groyne. You will recall the original Dundee groyne had a few issues with sand continuing to go through it. That design tender has now been issued and once that new design has been approved, a construct tender will be issued. Money has been set aside in the budget for that, for this financial year.

OUTPUT GROUP 1.0 – AGRICULTURE, FISHERIES AND BIOSECURITY

Output 1.1 – Agriculture

Mr CHAIR: The committee will now move from whole of agency and the opening statement to the outputs. We will commence with Output Group 1.0, Agricultural, Fisheries and Biosecurity, specifically Output 1.1, Agriculture. Are there any questions?

Mr BURGOYNE: Almost a decade ago the Katherine agribusiness hub was launched. What progress has been made on that project to date?

Mr KIRBY: I am happy to update as far as we can, but that project sits with DIPL and the minister for Infrastructure, so she will be able to answer questions on where that is up to. I understand there was debate around access to the land and the projects that would go forward from there.

With the committee's indulgence, we will have a little update from Phil Hausler about progress down there.

Mr HAUSLER: The minister is right; DIPL is the lead for the Katherine Logistics and Agribusiness Hub. Our part of the agency has provided support to DIPL in identifying potential opportunities for investment into the hub. That report is public.

Mr BURGOYNE: Is there any time line about when it will be up and running?

Mr KIRBY: That is not information we have at hand, given the operations and completion of it sit with DIPL.

Output 1.2 – Fisheries

Mr CHAIR: The committee will now consider Output 1.2, Fisheries. Are there any questions?

Mr BURGOYNE: Do you have any information indicating that further commercial fishing grounds may be closed over the next season?

Mr KIRBY: Access to waterways across the Top End is a constant topic with our professional and recreational fishers. It is something that we concentrate extremely diligently on. As I have explained in answer to other questions, there is no doubt from some of the negotiations that we are having, they would be further down the track than they are if we had not have had that couple of years' hiatus of not being able to get out on country with the land councils due to COVID. It is something that we concentrate heavily on. We understand the worth of the industry to the Northern Territory and we will continue to work with the traditional owners.

Regarding specific grounds or negotiations in the future, I am happy to take advice from Ian.

Mr CURNOW: The short answer is no. We have no indication of that. As I mentioned earlier, the NLC has indicated that all commercial operators will need a section 19, be they commercial fishermen or fishing tour operators. It is starting that process and has indicated that it will take some two to three years. The NLC has indicated its view is that areas will remain open while those consultations are continued and section 19s are finalised.

At the same time, as the minister indicated, the government is also gearing up to start making offers on some of the areas that are covered by beds and banks. Although there is a deal down in the Borroloola area, the new beds and banks claims due to be granted by the federal government in the next one to three years are depending on areas, which will include the broader area at the mouth of Borroloola, the Mary River and areas like that. Government is liaising with the NLC to commence negotiations for those areas to secure recreational access deals.

Mr BURGOYNE: Just to be clear, when you talk about offers, are you going to pay money to ensure that those grounds stay open to the public?

Mr CURNOW: It is a mixture of access payments in lieu of permits. As discussed earlier, a lot of the key concerns for traditional owners relate to management, protection of customary fishing and enforcement. Typically with those deals, including the five we have in place at the moment, a fair amount of that money is directed towards ranger and economic development opportunities. It is a mixture of an access payment in lieu of a permit as well as a range of ranger support and economic development support, as might be identified by those groups as what is important to them.

Mr BURGOYNE: Has the government been asked for any further money to set up that permit system?

Mr KIRBY: There is a range of discussions that continually evolve. In those discussions at different times different models are put forward about how we can recognise, acknowledge and encourage business opportunities and how we can encourage traditional owners into the fishing industry and how we can acknowledge heavily fished areas and lowly fished areas. The negotiations are fluid, would be the best way to term it. We continue to work closely with the land council and the traditional owners to get the best outcome.

Mr BURGOYNE: Is there a dollar figure set aside to allow access into the future?

Mr KIRBY: There is not a specific dollar figure that I can point to. The negotiations are many and varied. They are wide and encompass a range of different things, as Ian has just explained. A big part of what they

revolve around is increasing Indigenous involvement through ranger programs and other opportunities on country. It is difficult to put a dollar figure on each set of negotiations.

Mr BURGOYNE: Do you have a dollar figure, as it stands, for how much it costs the NT Government to allow access to fishing grounds across the Northern Territory—payments that Fisheries or the Agriculture department pays to the land councils to enable that fishing?

Mr KIRBY: As we have alluded to, there are five longstanding agreements. I do not have figures for those agreements in front of me. For new agreements, the finality and the detail of those negotiations sit with the Chief Minister and Cabinet. We do not have that detail in front of us.

Mr CHAIR: That concludes output 1.2.

Output 1.3 – Biosecurity and Animal Welfare

Mr CHAIR: The committee will now consider Output 1.3, Biosecurity and Animal Welfare. Are there any questions?

Mr BURGOYNE: Recently one of the largest ever biosecurity exercises in the Territory took place. Did that exercise reveal the need for any additional funding, staff or other assets?

Mr KIRBY: It was Exercise TREAD, and they have done a number of different variations of that. As with any large operation or exercise, you find some issues straightaway that you need to work around. Now is a real opportunity to thank the agencies and thank all of the industry that came together to work closely. It is not an easy for industry people to give up their time, for peak bodies to sit through delegations and deliberations and acknowledge what they might have in place and might not yet have in place. It is important that we have the opportunity to do that.

As far as funding opportunities that come out the back of those exercises, the majority of things that you learn within those exercises are operational issues you can tidy up internally. People can work better together with industry, acknowledging that they do not have biosecurity plans in place. That was a big part of the funding arrangements we secured already through the federal government.

I am happy to flick to Lorraine and Shaun to explain a little more about that.

Mr DRABSCH: Before I pass to Lorraine to go through the exercise that was undertaken in a bit more detail, I point out that, as Ms Corowa indicated earlier, we have a \$21.5m budget in the Biosecurity and Animal Welfare output. We have 111 FTE staff, so substantial resources are being applied. We are increasing those in response to the threats we are seeking to manage.

The exercise involved some 80 people across a range of agencies. It was coordinated by an incident controller drawn from the NT Police and, importantly, involved industry, so there was a greater awareness of the steps we will need to go through should this incident arise.

Ms COROWA: It is an important question. We have a lot to learn from exercising in this way. It was a three-day exercise. We engaged a consultant to work alongside us and observe us during that exercise. That report is being finalised. There is an intention of my team to publish the report, or at least a summary of the report, and to debrief completely with industry. We are partners in this together. Biosecurity is everybody's responsibility, and there were a lot of things that we learned in the process.

The minister asked us to pull together some emergency changes to the *Livestock Act*, which the minister will lead into parliament shortly, to make sure we have the right powers during an emergency animal disease. Some of the things that we learned in Exercise TREAD has resulted in these changes that will be put forward to parliament.

Mr BURGOYNE: I look forward to reading the summary and being briefed on the new legislative changes.

Mrs LAMBLEY: I have a question on Japanese encephalitis, which is a disease that kills horses and humans. What is being done to monitor Japanese encephalitis prevalence? How much is committed to JE surveillance in the Northern Territory?

Mr KIRBY: You are right that it is an important thing to acknowledge. I will hand straight to Lorraine so that she can give an operational explanation of where we are up to.

Ms COROWA: Japanese encephalitis arrived on our shores a couple of years ago and unfortunately spread quickly. It is now endemic in Australia, and we monitor for the presence of Japanese encephalitis. We were provided with about half a million dollars of funding from the Commonwealth Government to engage in surveillance of pigs in particular, as they are an amplifier of the disease. We worked very close with NAQS, the Northern Australia Quarantine Strategy people, to conduct the sampling of feral pigs. We also worked closely with the Department of Health doing mosquito trapping. The Berrimah Veterinary Laboratory was doing the diagnostics on that. We have been involved in the diagnostics and surveillance. It is now a public health response and therefore in the hands of the Department of Health.

Mrs LAMBLEY: Is there a sentinel pig herd in the NT to monitor this or to study?

Mr KIRBY: Lorraine might have information about that; otherwise, Phil might have information about our sentinel herds.

Ms COROWA: There is not a pig sentinel herd. We have sentinel chickens and sheep at the Berrimah Farm Science Precinct. We also monitor for arbovirus through our sentinel cattle herd. We do not have pigs.

Mrs LAMBLEY: There is currently a severe shortage of veterinary nurses in the NT. Apparently other jurisdictions—states and territories—contribute to the cost of tuition for vet nurses, but in the Territory we do not do that. Is that something you are considering, given the shortage of vet nurses in the Territory?

Mr KIRBY: We have put a massive program together, acknowledging and identifying the worker attraction we need in the Northern Territory.

I will take some advice on whether vet assistants are part of the attraction programs we are running for worker shortages or through any of the labour schemes. I will hand over to Shaun.

Mr DRABSCH: We support in our VET funding training for veterinary nurses. I think Lorraine has some information on what we are doing in that space.

Ms COROWA: Veterinarians and veterinarian assistants are highly prized commodities across Australia. It is a very competitive market. We are working closely with James Cook University, which has the veterinary school, looking at ways to embed veterinarians across the north.

There is also a thing called NABSnet, which is bringing together all veterinarians across the north of Australia. Those veterinarians work closely together to upskill and support each other and to get veterinary assistants. We do what we can to support them.

Mrs LAMBLEY: Does the Northern Territory Government provide any specific assistance for training and subsidising students like they do in other jurisdictions?

Mr KIRBY: We do generally for training and fee-free positions, but not specifically for vet assistants that I am aware of.

Mr DRABSCH: To clarify, we provide vocational education and training funding—VET funding—for vet nurses. We do not provide support in the tertiary education of veterinarians. Of the \$90m a year we spend on vocational education and training, veterinary nurses receive some benefits through that.

Mr BURGOYNE: Thank you very much, Mr Chair, and to all the staff from Ag today; I greatly appreciate it.

Mr CHAIR: Are they going or coming back?

Mr KIRBY: They may not be back this evening, so I thank all the hardworking staff as well.

OUTPUT GROUP 2.0 – BUSINESS INNOVATION AND WORKFORCE

Output 2.1 – Business and Innovation

Mr CHAIR: The committee will now move onto Output Group 2.0, Business Innovation and Workforce, Output 2.1, Business and Innovation.

Mr KIRBY: Shaun will introduce the staff who have come in.

Mr DRABSCH: Catherine White is our Deputy Chief Executive Officer, Business and Workforce; Gae Mackay, Executive Director Business, who looks after our grants programs; and Tracy Clark, who looks after our training and strategy programs and the skills agenda.

Ms BOOTHBY: Thank you to the public servants who have joined us today.

How many businesses operating in the Northern Territory have been broken into?

Mr KIRBY: We obviously do not get police statistics about every business that is broken into ...

Ms BOOTHBY: You are the Business minister; you must have some idea.

Mr KIRBY: If you allow me to finish, there is a range of information and detail that comes to us. If you would like information on specific business-related programs such as Biz Secure, we are more than happy to supply as much of that information as we can. As far as PROMIS numbers or police reports go, that obviously does not sit with us.

Ms BOOTHBY: I am looking at the total number of businesses operating in the Territory that have been broken into—not the PROMIS numbers, because that would be multiple PROMIS numbers per business. You are the Business minister. You have lots of data on businesses. Please tell me how many businesses operating in the Territory have been broken into.

Mr KIRBY: I can only repeat my answer. We have specific information about people who have made applications ...

Ms BOOTHBY: Do you not have a whole number?

Mr KIRBY: ... for Biz Secure and assistance that is available under our Business portfolio. As for specific police information about how many businesses have been broken into, I do not have it.

Ms BOOTHBY: I do not need the police information; I need the business information. Are you telling me that you do not know how many businesses in the Territory have been broken into? Do you know what the total costs are for businesses that have been victims of crime to repair their businesses?

Mr KIRBY: We can supply information about the business programs and the assistance our department provides to different businesses. Obviously, I am not aware of each and every dollar that individual businesses spend in their own enterprises or within their own infrastructure.

Ms BOOTHBY: Do you not have an idea of what it costs businesses in the Territory that are victims of crime and the impact that has on businesses as a whole across the Territory or, in fact, the whole Territory economy? Do you have an idea of how much that is?

Mr KIRBY: I will hand over to Shaun Drabsch, who will give information about Biz Secure and the information about victims of crime that we have encompassed within our portfolio.

Mr DRABSCH: Although we do not have precise figures on the costs incurred by businesses, we are aware through our small business champion network of events that occur. There is constant and regular contact between our SBCs. There are about 20 of them spread across the Territory, engaging and helping businesses by talking to their insurers, for example. That is where some of the costs are borne rather than on the businesses, hopefully. We have also been talking to glaziers and so forth as we engage with the issues that have been confronting us.

As perhaps a proxy of the number of businesses that have felt the need to upgrade their security as a result of criminal and antisocial behaviour, as at 31 March this financial year—nine months—some 334 applications had been received. We have approved about 220. We have expended about \$1m of grant funding for Biz Secure, which has supported some \$1.8m of approved works across the Territory. That is distributed across Alice Springs, Darwin, Katherine and so forth.

Ms BOOTHBY: What do you think the economic impact of crime would be on those businesses across the Territory?

Mr KIRBY: The data that we can provide you is around the specific programs that we have. As far as I am aware ...

Ms BOOTHBY: I will just add that your government knows things like the social cost of alcohol, as an example, and what it costs the government. According to the Riley review, that was about \$642m of impact. Surely if you have data like that, you would have some kind of data about the impact of crime on businesses across the Territory. Businesses are our economy, so you would have an idea of the impact to the economy that crime is having, due to the continued break-ins of businesses across the Territory.

Mr KIRBY: I can only reiterate the data that we get from businesses. There is a number of different surveys that we do with businesses. There is a range of information that we get on business confidence, about the number of businesses and the number of workers ...

Ms BOOTHBY: It sounds like you do not know the answer.

Mr CHAIR: Member for Brennan, you have to let him answer. You have to give him the opportunity to answer. We have had that throughout the day.

Ms BOOTHBY: He is repeating himself, and I want an answer. I will ask a different question if he cannot answer that question.

Mr CHAIR: If we get to the point where he does not answer your question, you are more than welcome to ask an alternative question. We should at least give him the opportunity to respond.

Ms BOOTHBY: To be repetitive, sure.

Mr KIRBY: I am giving a range of information that our department has and does avail itself of. We work closely with businesses and small business champions to gather a range of data. There are business confidence surveys and statistics that we can provide. Some of the specific statistics that you are chasing we do not have. Some of that will be police-related information and some of it is data that we do not have.

Ms BOOTHBY: Can you see how there is a direct link between business break-ins and the cost-of-living increases for Territorians, or do you just put it down to wear and tear like your Chief Minister did?

Mr CHAIR: Member for Brennan, I refer you to Standing Order 109.

Ms BOOTHBY: Did you not like that question?

Mr CHAIR: It was the manner and form of your question. I am more than happy for you to rephrase it in line with Standing Order 109.

Ms BOOTHBY: What is wrong with it? It is a great question.

Mr CHAIR: You are asking for an expression of opinion. The Member for Braitling understands my point.

Ms BOOTHBY: I am asking whether you can see—this is a fact—that there is a direct link between business break-ins and the cost of living for Territorians. Or do you just put it down to wear and tear? That is a genuine question.

Mr CHAIR: I will put it back the other way, as I did last week.

Ms BOOTHBY: Do you not want me to say 'wear and tear'? I will read between the lines.

Mr CHAIR: You can have 'wear and tear' all you like. I will put it another way. Last week I made the ruling that we need to substantiate facts or things that have occurred, so if there is a fact about cost-of-living increases due to crime, you need to substantiate that for the minister to be able to respond to it.

Ms BOOTHBY: Is there a link between crime and the cost of living for Territorians?

Mr KIRBY: You will find that the cost of living has gone up, not just across the Northern Territory and the nation but also around the world. At the moment it is not just a Northern Territory phenomenon. I acknowledge that there is a cost to businesses, particularly if they have been broken into. I want to be clear about that. I also want to be clear that the cost of freight and logistics have increased, not just through the Northern Territory but around the nation and the world. The cost of manufacturing, flights and fuel have gone

through the roof. There is a large range of factors that come together to impact the running costs of a business. That has increased, not just in the Northern Territory but around the nation.

Ms BOOTHBY: Are you downplaying the impact of crime and that direct link for businesses that are impacted by crime, and saying it is not causing Territorians to have a higher cost of living?

Mr KIRBY: I am not sure whether the Member for Brennan heard my last response. There was a very honest admission about the cost to a business if it has been broken into. There was acknowledgement of that.

I am more than happy to update you on the amount of funding we put in through Biz Secure programs to assist businesses that are in those positions and how we have changed those funding arrangements over the year to make sure that we can help businesses as much as possible.

I will hand to Shaun to give a bit of that information on Biz Secure.

Ms BOOTHBY: I am going to ask about Biz Secure in a moment. I want to double-check ...

Mr CHAIR: The minister has the right to hand over to the department chief executive and then we can go back and forth.

Mr DRABSCH: Although I mentioned the applications we received for Biz Secure, we have also instituted other programs over the last six months. The Business Re-secure program allows businesses access to emergency grant funding to provide greater security around the storage of alcohol, for example. We are going through an audit process to allow businesses to look at the security and safety of their workers. There is a registration process, which we have just finalised, for audit providers to participate in that program.

There is a range of grants and other funding activity. Crowd controller grants were provided to a number of businesses to provide greater security around the operation of takeaway bottle shops. There has been substantial investment and attention to the issues as they arise.

I agree with the minister that the cost of living is driven by a range of factors. There are costs incurred by these events, but the cost of living is driven by much larger factors than that.

Ms BOOTHBY: Do you understand that when a business is broken into, it has to pass on those costs to the consumer? Therefore, the consumer pays more to get the service or product from that business, which impacts the cost of living. I am sure you understand that, but I will move on because I know we have only a short time and we have a lot of questions to get to.

When we have escalating commercial crime, why is there a budget cut to the Biz Secure grant of nearly \$250,000?

Mr KIRBY: I reiterate my acknowledgement that there is a cost to people when their business is broken into. As a government we put as much support around those businesses as we can. To think that is the only issue that is driving up costs within our economy and community at the moment is not a true indication of where we are post-COVID.

Ms BOOTHBY: You have cut the Biz Secure funding, have you not?

Mr KIRBY: I am about to hand over to Shaun Drabsch to explain the detail of the Biz Secure funding.

Mr DRABSCH: Our expenditure to 31 March on the Biz Secure program was \$1.087m. We estimate that we will come just under \$1.6m for 2022–23 and our budget for 2023–24 is \$1.586m. The funding is essentially stable for the Biz Secure program.

Ms BOOTHBY: In Budget Paper No 3 on the line for Biz Secure and victims of crime, it is an obvious reduction of \$250,000, so where were you reading from?

Mr KIRBY: I will pass to Joanna Frankenfeld for a clearer explanation of the carryovers and how that plays out into the figures you are talking about.

Ms FRANKENFELD: Yes, in the budget highlights as published it did appear there was a drop in funding between 2022–23, which was \$2.307m, to \$2.059m in 2023–24, but the 2022–23 figure included a one-off

carryover. There was a surplus budget carried forward into 2022–23. It was a one-off; there is no budget drop.

Ms BOOTHBY: We have seen commercial crime increase—the stat is a 30.7% increase for businesses—and the Property Council says that 75% of businesses have been a victim of crime, but we have not seen an increase for Biz Secure. Even if this is an anomaly with a rollover of previous funding, why would you not increase that Biz Secure funding for businesses? I am genuinely trying to understand that.

Mr KIRBY: Through the course of the year we acknowledged the percentage of funding that the Northern Territory Government puts into those programs and adjusted that. The final amount is driven by demand. Mr Drabsch gave those figures before and showed that we were still under the figure we had allocated for the year. I am happy for Shaun to clarify that, but it is absolutely driven by demand.

Ms BOOTHBY: I have those figures, thank you.

Is it true that your government is focused on strengthening the windows instead of strengthening the laws and maybe that is why Biz Secure has not been as popular for businesses? It is so difficult for businesses to get Biz Secure. Is that the disincentive for them to apply and therefore expend the full budget?

Mr KIRBY: There is a range of different products available under the Biz Secure arrangement. If individual businesses are having issues applying for or working through the Biz Secure funding program, I urge them to reach out to a small business champion, someone they know or any of our offices.

Ms BOOTHBY: Do you understand that opening a business in the Territory is really difficult for people? They put their whole heart and soul into starting a business and they invest emotionally and financially, often mortgaging their own homes to do so. There is a business in Palmerston that had not even opened yet and had been broken into six times and was not eligible for Biz Secure. Can you see how that is a disincentive for businesses to open, reinvest, employ more staff and grow to improve the economy?

Mr KIRBY: I understand the individual case that you are talking about. I am not sure whether anybody from the department has any further information, but I know that we were working closely with that proponent. It was an anomaly to have some issues before they formally started to run their business. With Biz Secure, you need to be a business that is up and running, so it was a one-off.

Ms BOOTHBY: You also have to be a victim of crime before you apply.

Mr KIRBY: You absolutely have to be an operating business before you can apply for Biz Secure. I will happily get some more information from people during the break on that. We were working with that proponent and we have examples of how we have changed the Biz Secure program to assist people in the future.

Yes, I understand what it takes to operate a business in the Northern Territory. I know that people put their heart and soul into it. The business becomes like a member of the family. I have often spoken with people—I talk to businesspeople every day of the week and I met with the City Retailers a week or so ago—and had fearless and frank feedback from institutions when I meet with them.

We do a lot of work. Our portals and work we are doing to make it easier for businesses to start up are an acknowledgement that it is a tough place. You will repeatedly hear me say in a host of different speeches that the Northern Territory is a tough place to do business. That is why we make sure that people have as much or more support than in any other state or territory. Most businesses that you deal with will acknowledge that.

I will hand over to Cathy to see whether she has any more information on that one isolated, specific case you mentioned.

Ms BOOTHBY: Are you saying that there has been only one case where a business had not opened yet and could not apply for Biz Secure? Is it only one anomaly—one case?

Mr KIRBY: You explained a specific case and I am saying that I am aware of that case. I am about to flick to Cathy to provide more details.

Ms BOOTHBY: But there are other cases, are there not?

Ms WHITE: We have been working closely with businesses and industry to make sure Biz Secure is as simple as possible. We have continued to improve it. Improvements we have made this year include reducing the amount of co-contribution for businesses from 50% to 25%. We increased the maximum funding from \$10,000 to \$15,000. We introduced standard works that do not require an audit and can be done quickly.

Biz Secure often requires you to do a physical alteration to the premises, which means we need to look at landownership and building regulations. We have been trying to streamline it and make it as simple as possible for businesses.

As you mentioned, there is always the exception—a business that has not been operating for long that is slightly under the threshold. We work with all the businesses. The specific one I think you are referring to is the physiotherapist in Palmerston. We worked with that business and came up with a solution for them. The CEO has an exemption right. If we get an unusual one that seems to fit with the intent of Biz Secure, we work to get a good outcome for the business.

We are further refining the business. The audit program will make a significant difference. It now includes worker safety. We are hoping to streamline. It is a stressful time for businesses. They can apply for Biz Secure at any time; they do not have to be victims of crime.

We also increased the funding for victims of crime and are working closely with Police and Victims of Crime. The immediate resecure—which is up to \$1,000 to immediately resecure a premises—has unfortunately had good uptake. We are working in that space.

Mr CHAIR: To confirm, what are the items that people can get under Biz Secure, knowing you have made changes to that? What can you use the funding for—the actual items?

Ms BOOTHBY: We can read that on the Internet.

Mr CHAIR: I am following your line of questioning, Member for Brennan. I am curious.

Ms BOOTHBY: We can waste time; that is okay.

Ms WHITE: You can do physical alterations to the building. You can change escapes or put in stronger glass and additional exits. We have Alcohol Secure and Safety grants, so you can do improvements within the business to make the premises safer for workers. That is things like plexiglass, duress buttons, and smoke and cloak. There is not really a limit to what can happen. We have standard works that can be approved quickly.

Ms BOOTHBY: How many times, minister, have you made an exemption under Biz Secure?

Mr KIRBY: What exemption?

Ms BOOTHBY: The department staff just talked about how you have an ability ...

Mr CHAIR: She said that it is the chief executive officer.

Ms BOOTHBY: The chief executive officer has the ability to grant exemptions to give a business Biz Secure. How many times has an exemption been granted?

Mr KIRBY: I am more than happy to flick that to Shaun to see whether he has that data in front of him.

Mr DRABSCH: I do not have the precise numbers. It is not a common occurrence, but there are circumstances from time to time where the particular circumstances of the business might fall slightly foul of the criteria, but we are keen to ensure that the spirit and intent of the program is maintained and upheld.

Ms BOOTHBY: Do you have any idea of that exemption number? Is it one or two, five or 10 or 100? I am generally interested in knowing.

Mr DRABSCH: It is not 100. It is only a few.

Ms BOOTHBY: Count on one hand, is that what you mean?

Mr DRABSCH: Yes, it is not common—five to 10.

Ms BOOTHBY: Minister, is that a question you would be happy to take on notice?

Mr KIRBY: Sure.

Question on Notice No 7.3

Mr CHAIR: Member for Brennan, please restate the question for the record.

Ms BOOTHBY: How many times has the CEO made an exemption for Biz Secure in the reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Brennan has been allocated the number 7.3.

Ms BOOTHBY: Your department staff spoke about the different measures that could be put in as part of some of those programs. How many have put additional escapes in their businesses to feel safer?

Mr KIRBY: We might have some information in front of us, but it is important to acknowledge that the building code sets the regulations about exits from buildings. As much as you think you might want to put in shutters, screens or different methods to stop people from entering the premises in a particular location, sometimes there are more things at play. The people who do the inspections and understand the building code and the legislation can advise what can be put in place or what you might not be able to put in place.

Ms BOOTHBY: It is not always straightforward, is it?

Mr KIRBY: It is not always straightforward. One example we spoke about earlier was the people who were struggling because they had not started their business yet. I believe that they had not yet signed a lease for the premises, which made it difficult to prove whose obligation it is and to try to compensate somebody when they do not have a lease on the building.

Ms BOOTHBY: Do you have that number of who has installed additional escapes under the grant system?

Mr KIRBY: We can take it on notice to see whether we can get that information.

Ms BOOTHBY: Is that the same case as how many businesses have installed duress alarms as well?

Mr CHAIR: Why not ask the question of all the ones you want to ask and put it in one question to the minister?

Ms BOOTHBY: Maybe that would be the better way. I would like a breakdown of all the businesses that have applied for the different elements of each grant—as an example, but not limited to, this includes the additional escapes, the duress alarms, the bollards et cetera—for the reporting period.

Mr KIRBY: It has just been explained to me. We will be able to give some details and some rounding up of businesses and expenditure, but probably not the exact detail of the business, obviously due to the security arrangements they have in place.

Ms BOOTHBY: About their names, is that what you mean?

Mr KIRBY: Yes.

Ms BOOTHBY: I am just looking for the types of installations that have been applied for.

Question on Notice No 7.4

Mr CHAIR: Member for Brennan, please restate the question for the record.

Ms BOOTHBY: Can we get a breakdown of the number of businesses that have applied for each type of installation under Biz Secure for the reporting period?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Brennan has been allocated the number 7.4.

Mr CHAIR: We will take a five-minute comfort break.

The committee suspended.

Mr CHAIR: We will continue your line of questioning, Member for Brennan.

Ms BOOTHBY: I will move onto some other questions about business, so I am off Biz Secure now.

Will your government do compulsory buyback of liquor licences from these small businesses after the voluntary period ends?

Mr KIRBY: An initiative was instigated at the request of a range of proponents who were interested in finding out whether there would or could be a proposal from government to buy back licences. Yes, we are working through that process at the moment. That has been instigated through the Chief Minister's office, which is taking the lead on liquor policy. As far as I know, it was genuinely intended to find out whether people had a passion and capacity to surrender those licences because it was a query that had come from the industry.

Ms BOOTHBY: At the moment it is voluntary. Will it become compulsory if the take-up is low?

Mr KIRBY: As I mentioned, that program was initiated under Alcohol Policy through the Chief Minister's office, so it is probably a policy discussion and query you would have to present to it.

Ms BOOTHBY: It affects small businesses, though, does it not? You are the Business minister. Have you spoken to the businesses impacted to find out what they think about the voluntary buyback and whether there are concerns that it will be compulsory?

Mr KIRBY: I have spoken with a range of businesses that are affected and some of them have actively stepped into the process. Some of them had asked, before the process started, for an indication of what their licences might be worth if it was an option. Some are just happy to find out now. Yes, we speak to businesses regularly. Obviously there is a number of these establishments within and close to my electorate.

Ms BOOTHBY: What data is there to support that closing a small liquor retailer would have an impact on an alcohol-dependent person? Would that person not just go to a larger retailer to get their alcohol?

Mr KIRBY: They are pretty specific Alcohol Policy questions. I am sure that the Chief Minister's office would be more than happy to answer those questions. Alcohol Policy sits with the Chief Minister.

Ms BOOTHBY: Have you been asked those questions by the small business owners you speak to?

Mr KIRBY: Have I been asked?

Ms BOOTHBY: Have you been asked those questions about the data and evidence that if they were not to have a liquor licence, the alcohol-dependent person would still get their liquor but they would just go down the road or next door? Have those business owners asked you about that data?

Mr KIRBY: A range of different questions come up when I am talking with different businesspeople. Obviously small outlets make those business decisions themselves. They have the data about what their alcohol sales are worth. We put a range of initiatives in place about licensing and risk-based licensing and the data associated with that. Again, I can only urge you to take those conversations up with the Chief Minister's office because they do not sit with our department.

Ms BOOTHBY: Just with those small businesses that are impacted by liquor licences and rules, when they have to close their doors or reduce their hours, is that not punishing those small businesses instead of dealing with the problem of the demand an alcoholic person has?

Mr KIRBY: I think you will find this government has done the most amount of work as far as Alcohol Policy is concerned. It is an acknowledgement from us that alcohol is one of the most significant issues throughout the Northern Territory. A mountain of work has been done in that regard.

Risk-based licensing is one thing that has been instigated, because people highlighted that a number of outlets were not doing the right thing. People were coming forward to find out what those licences might be worth if they were to enter into a buyback opportunity. It is completely up to them.

For any further specific questions on Alcohol Policy, you will have to go to the Chief Minister's office.

Ms BOOTHBY: I want to stick to the corner store, small business side of it, rather than the alcohol side of it. If every corner store licence were to be removed, and those stores closed because they are not profitable, especially in our regions, how many jobs would no longer be in the Territory?

Mr KIRBY: Mr Chair, that is a hypothetical question.

Ms BOOTHBY: Do you not know how many workers those small businesses employ?

Mr KIRBY: It is a hypothetical question about shutting every business in the Northern Territory. Surely we have better questions that we can deal with.

Ms BOOTHBY: Do we not have to deal with the fact that we may have businesses close in the Territory?

Mr CHAIR: Maybe if I pose it a different way for you, Member for Brennan. If you were able to say which businesses, how many people they had and therefore if they lost their licence, that would not be hypothetical. The question you are asking is hypothetical because you cannot tell me what businesses are closing.

Ms BOOTHBY: We have heard that 20 people have registered their interest in the liquor buyback scheme. If those 20 businesses apply for that and are successful, and then they close because they are not profitable, how many workers do those 20 people employ in their businesses? You could even use an average if you want, just do some maths.

Mr KIRBY: I have a fundamental issue with hypothesising about 20 businesses that might voluntarily give up their licence so that then they could close. We are getting into some rare areas, even for you.

Ms BOOTHBY: Do you not understand the correlation between having a liquor licence and being a small grocery store?

Mr CHAIR: To clarify, for example—I can say this on record because it is public knowledge—one of the stores in my electorate has said they have an alternative business model. Again, it is quite hypothetical. Can you refine the question for the minister that does not give a hypothetical and expect a hypothetical response, under Standing Order 109.

Ms BOOTHBY: Have you given thought, in your business policies and your budget for business, to the fact that small licensees and corner stores are at risk of closing and therefore having an impact on our economy? That means less jobs in our community—less for senior Territorians who like to have a part-time job with our local store and our local stores that give back to our community. Have you given consideration to the fact that there may be less of them and less jobs in those areas because of this policy?

Mr KIRBY: I want to be clear with this. The policy that you speak about does not sit with our office. The policy that you talk about is a voluntary option for people to find out what their licence would be worth should they wish to surrender it. The conversation that you are now trying to have—a couple of minutes ago you were talking about people buying alcohol and how if they were not buying it from the small corner store, they would be buying it from somewhere else—purports to ask me philosophically how many of these businesses might shut and how many jobs that might entail. Can you see that this is hypothetical?

Ms BOOTHBY: I cannot believe that you, as Business minister, have not even considered any of this. That is just embarrassing.

Mr CHAIR: Member for Brennan, he is answering your question. We will not be argumentative, under Standing Order 109.

Ms BOOTHBY: Will you answer for him again?

Mr CHAIR: No, as the Chair I will preside over Estimates.

Ms BOOTHBY: You gave an example before.

Mr CHAIR: Yes, because I am trying to give you an opportunity to ask the question you want within Standing Order 109. I want the questions to continue as the Estimates Committee ...

Ms BOOTHBY: I am trying to ask the questions.

Mr CHAIR: Let him answer your question, and then you get to ask another one.

Mr KIRBY: I can detail some of the growth and business programs we put together for any business that might need to change its business model and work a different way through some of the solutions they have at the moment. Our business growth program has received 129 applications ...

Ms BOOTHBY: You want those small businesses to change the way they are doing business. Is that what you are asking them to do? That is what you just said. To show them how to diversify you will go through some other programs that they may like to take up. Do you know how insulting that is to businesses?

Mr KIRBY: I am suggesting that we have a voluntary opportunity for people to come forward if they wish to find out what their licence may be worth to them—understand that. We also have a range of opportunities under this budget, which is what we are supposed to be talking about, for us and our department to assist businesses that might want to look at different models going forward, different types ...

Ms BOOTHBY: They are doing that because you will not deal with the demand side of alcohol. You are only dealing with the supply side and punishing small businesses.

Mr CHAIR: Member for Brennan ...

Ms BOOTHBY: Minister, where will that line item be?

Mr CHAIR: Member for Brennan, when I am talking, it is disorderly for you to continue talking. You cannot listen when your mouth is open.

The minister is responding to your question. He has made it clear that anything related to Alcohol Policy does not fit with him. I suggest that any other questions you have from upstairs that relate to Alcohol Policy are directed through a written question to the Chief Minister ...

Ms BOOTHBY: This is about business, Chair ...

Mr CHAIR: Hold on, you cannot listen when I am talking.

If you have any questions related to workforce and/or business innovation, as per the output, feel free to ask them. In relation to Alcohol Policy, it is for the Chief Minister, and they should be in writing.

Ms BOOTHBY: In the Business budget, where is the line item for the expenditure of taxpayers' money for when licences are bought back from small businesses?

Mr KIRBY: Are you asking me to put an absolute dollar figure to it?

Ms BOOTHBY: No, just where it is in the budget. I know you do not know the number now.

Mr KIRBY: You are asking me to have in the budget a hypothetical line item for an issue that may not arise. Is that what you are suggesting?

Ms BOOTHBY: Is it going to be under Business or another area? It is a simple portfolio question. Is it under your remit or that of the Alcohol minister or the Chief Minister? I do not know; you tell me.

Mr KIRBY: We have told you—about five times—that this sits under the Chief Minister’s portfolio under the Alcohol remit.

Ms BOOTHBY: That was not so hard.

Mr KIRBY: I am more than happy to explain all the Business programs and all the support we put around small businesses, whether they have alcohol or not. Anybody who wants to pivot or grow will be supported through this government.

Ms BOOTHBY: It will not be under the Business portfolio. It will be under the Alcohol portfolio for the amount that the taxpayer pays for that buyback scheme. That is what I heard. I am getting nods, okay.

The crowd controllers that were to go into businesses, as promised two months ago, when will that be rolled out?

Mr KIRBY: They were rolled out pretty much immediately.

Ms BOOTHBY: How many businesses have those crowd controllers at their businesses?

Mr KIRBY: We will get that data. We have some of the specific numbers with us. I am happy to pass over to Cathy White who has that information.

Ms WHITE: We have had 26 apply for the grant at 33 premises, and the grant is open until 23 June to apply. The funding is backdated to 22 March, should the business have employed the crowd controller from that day.

Ms BOOTHBY: Is that number a lot of businesses or not as many as you would expect?

Mr KIRBY: They have just given the number to you. Does it encompass every business? Probably not because a host of businesses will already have PALIs and other arrangements in place. Businesses across the Top End would be the majority of those businesses.

Mr BURGoyNE: May I confirm that it was 26 businesses across 33 premises.

Ms WHITE: Yes, there were 26 applications across 33 premises.

Just to expand, the minister talked about PALIs. PALIs are in place in Alice Springs and Tennant Creek, so it was envisioned that this would predominantly be to support the police presence in the Top End and Palmerston.

Ms BOOTHBY: Is that where those 33 businesses are, in the Top End?

Ms WHITE: Not exclusively, but certainly the majority.

Ms BOOTHBY: Why do you think it is okay to make a small business wait outside of its payment terms to be paid for a service provided by the government?

Mr KIRBY: Without any context, it will be difficult to answer that query.

Ms BOOTHBY: I refer to the Business Growth Program. Local businesses that are registered providers are part of that program. They are usually small businesses that rely on that regular cash flow to survive. Like all small businesses, they set their payment terms either for immediate payment upon service or a maximum of 30 days. This is the norm across businesses.

Why have you implemented a credit note system for the Business Growth Program whereby registered small business providers are given a credit note and must then submit to government for payment? They are experiencing payment delays of about 60 days.

Mr KIRBY: I remind the Member for Brennan that is a grant program. I have in front of me that the expenditure as at 31 March 2023 was \$610,000. For the intricate detail about invoicing and how that is paid, I will hand to Cathy White.

Ms WHITE: The Business Growth Program is a direct relationship between a business and one of the consultants—also, as you say, small business. The business provides 25% of the cash. It negotiates the business payment terms. It is correct that we pay our 75% via a voucher system, which is redeemable on completion of whatever the business growth activity is. It is varied as to how businesses work their arrangement. They may pay it all up-front and get reimbursed. There are different ways.

We pay the business; the business then pays the consultant. Some are extremely quick, others are very slow because the business needs to put the voucher in.

Ms BOOTHBY: How long does it take from the time the voucher is put in to the time the government pays for that voucher?

Ms WHITE: Technically, terms of payment should be within 30 days; we aim to meet that. If it is not met within 30 days, there may be an issue with the business not providing the information we require. They are always well and truly within 30 days for Business Growth, once the voucher is received.

Ms BOOTHBY: Is it possible—it does happen—that they are paid outside of the 30 days?

Ms WHITE: That would be an exceptional circumstance and generally, the reason would be that the business did not provide information that was required.

Mr DRABSCH: I will emphasise, that as the department for Business, we are conscious of the impact of the allocation of funds out of our agency to businesses and of the policy and limits in terms of the time it takes to process invoices. We are rigorous in ensuring we meet the standards that we insist upon across government.

Ms BOOTHBY: Could you outline how many vouchers or credit notes—I do not know what you call them internally—were paid to any provider under the Business Growth Program outside of the 30 days?

Mr KIRBY: That is not information we have in front of us, but I am happy to take that on notice.

Question on Notice No 7.5

Mr CHAIR: Member for Brennan, please restate the question for the record.

Ms BOOTHBY: How many of the vouchers were paid by government to the provider for the Business Growth Program outside of the 30 days?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Certainly.

Mr CHAIR: The question asked by the Member for Brennan has been allocated the number 7.5.

Ms BOOTHBY: I am conscious of time and want to get to the other outputs, so I am happy to go to the next one.

Mr CHAIR: That concludes consideration of Output 2.1.

Output 2.2 – Workforce

Mr CHAIR: The committee will now consider Output 2.2, Workforce. Are there any questions?

Ms BOOTHBY: Next to crime, worker shortages remains a top concern for businesses. Why are you cutting the worker attraction packages budget?

Mr KIRBY: I am more than happy to hand over for an explanation about the worker attraction funding. As a government we recognised some time ago—I remember being in the Chamber and answering questions from you, Member for Brennan, about why we were stopping some of the COVID-related grant programs to businesses.

We explained back then—which is probably over 18 months ago—that we acknowledged we would face a national worker shortage and that we would put funding into attraction and training programs to give Territory workers the opportunity to upskill into different areas and Territory kids opportunities to train for jobs. There was a time, before our apprentices had finished completions last year, that we had close to 4,000 apprentices across the Territory.

Our global worker attraction campaigns and the funding we put together for that has been done hand in hand with industry in an acknowledgement that we would be short of workers, not just because it was a Territory set of circumstances but that there was a national and international problem.

We have good stories to tell about those global worker attraction campaigns. They are attracting people here. We secured backpackers and different people travelling through the Northern Territory. That has assisted with making sure, particularly through the Dry Season where our market swells with tourism and events—backpackers are a big part of what we need to do.

For specifics about why you think we have not funded worker attraction, I will hand over to Shaun for a better explanation.

Mr DRABSCH: I might flick that to Cathy. To confirm, we maintain our activity in workforce attraction as it is a three-year program.

Ms BOOTHBY: It was the \$1.215m difference that I am curious about.

Mr DRABSCH: What line item are you referring to?

Ms BOOTHBY: It is in BP3 on page 70. It is called the worker attraction packages. It was \$3.675m in 2022–23, but it is only \$2.550m in 2023–24.

Mr DRABSCH: In the first instance I suspect that is possibly a cause of carryovers that were boosting up last year's number.

Ms WHITE: The worker attraction package was a three-year package and the funding was not distributed exactly over the three years. We had WorkerConnect, which was an additional funding program that now is finishing. The grants will continue under the workforce initiatives. It is really stretching that initial entire worker attraction package over the three years. All the initiatives are continuing. We will see good outcomes from the new WorkerConnect platform, which is now live and attracting lots of workers here—we hope.

We have been successful with an additional 10,000 workers over the last year in the Territory. That has our workforce numbers at the highest rate ever, even surpassing the peak of INPEX in 2017 of 144,000-something workers. We are hopeful that it is having an impact with all the various initiatives. We are also aware we have a long way to go with another 25,000-odd workers.

Ms BOOTHBY: That is my next question. How many jobs short are we in the Territory?

Mr KIRBY: There is a range of jobs boards and different initiatives we have to highlight vacancies. There are shortages around the nation and specific industries are shorter than others. We have done a massive amount of work with peak bodies, industry skills councils and business to travel overseas—not just through that global worker attraction campaign to the UK, Philippines and places like that, but take business delegations to Timor to look at different initiatives to put real pressure on the PALM scheme and on the federal government to acknowledge we have capacity and capabilities to grow our relationships with the Timorese people.

Thankfully, some of those schemes are paying off. The federal government came in with a massive backlog of visas to be processed and is diligently working its way through that. There is a range of things we have done to address shortages in each position—whether our jobs board cover enough to highlight how many shortages we have across the Northern Territory. I think our unemployment rate is the best indicator of our shortages and most people who want the capacity to work.

Ms BOOTHBY: You have the rate, but not necessarily the full number, is that what you mean? You have an unemployment rate, but not a full number of how many job vacancies there are.

Mr KIRBY: I will hand to Cathy White to see whether she has more data on specific positions through industry and industry skills councils, where we get a better and sharper focus on individual positions.

Ms WHITE: Our research shows that to achieve a \$40bn economy by 2030, we will need a workforce of 166,000 people. We are at 143,000 to 144,000 people, so we are looking at an additional 23,000 workers.

Our number one priority is always to maximise local jobs for local people. We are focused on skilling Territorians, particularly in the regions and remote Aboriginal communities, which is where we have an underutilised workforce. We will have to keep our attention on attracting workers to come and stay in the Territory.

There are skills shortages across every occupation. With an unemployment rate of 3.3%—lower than the national average—and a globally tight economy we have to think outside the box, hence we are looking at different ways of attracting workers to come live and stay in the Territory.

Ms BOOTHBY: If I have that right, 23,000 is the goal by 2030. Do we know how many jobs we are short today? We want to grow our workforce by 23,000. Surely we need to know the shortages we are sitting at now?

Mr KIRBY: Cathy White just explained that the current workforce is at 142,000. That is significantly higher than it has been previously. Our great passion is for training Territorians and making sure Territorians get those opportunities first. I acknowledge all our RTOs, CDU and Batchelor and all those people who do fantastic work with us.

We held a skills ministers' meeting in the Northern Territory recently. Brendan O'Connor encouraged every minister from state and territory jurisdictions to come here. Representatives from our Indigenous business networks, the RTOs and our Indigenous training organisations came and explained to our training ministers exactly what it was like trying to train people in the Northern Territory. Hopefully, it will result in different funding arrangements for the Northern Territory in the future.

We need to continually work with and grow our industry skills councils to identify programs and vacancies. The federal government does a range of work in identifying positions, vacancies, key and strategic target areas where we need to focus training or recruitment through different visa schemes.

Do we have a picture of exactly which position on exactly which day? As I said, we have jobs boards and a range of different initiatives we are working on with industry to promote and provide that information, particularly to school leavers to give them the best opportunity to make their career decisions.

Ms BOOTHBY: What we do not know exactly is how many jobs we are short. What we do know is that we have 143,000 jobs in the Territory. We know our target is 166,000 in 2030, but 143,000 jobs is higher than last year, which is what you said. Is that why there are fewer of those initiatives under that worker attraction package? We are growing; therefore, you may think there is not a problem anymore.

Mr KIRBY: Cathy White did a good job of explaining that the funding was over a three-year period. It was heavily laden towards the front of the programs to get initiatives off the ground and up and running. That body of work has been done. Those initiatives are still in place and are running now, so the up-front funding starts to decrease or that necessity decreases along the way. I am not sure what other information we can provide, but we are happy ...

Ms BOOTHBY: I am wondering why it would not at least stay the same, even though you frontloaded a lot of that investment up-front in the first two years. It is the number one problem next to crime for businesses. You could use that money for other areas of worker attraction packages and other initiatives to keep supporting businesses to get those staff. You have cut that money and it has gone somewhere else in the budget to another department. Why did you not fight for that money to stay in this department to help those businesses with those workers?

Mr KIRBY: There is a range of initiatives. Over \$90m goes into funding arrangements. I am happy for Cathy to break that down into the major chunks.

What we are trying to explain is that getting these programs off the ground takes a significant investment. Keeping those programs rolling over the foreseeable future does not take as large an investment after the initial shock of getting them up and running has subsided. We will continue to invest in these programs across the board. We are training more Territorians than we ever have before. We have more initiatives occurring.

We have better relationships with the federal government. Brendan O'Connor is a regular visitor to the Northern Territory and has passion and acknowledges what it costs to train Indigenous kids and anybody in

the regions. Unfortunately, our federal funding models simply allocate funding per course as though everybody was being trained in Brisbane, Sydney or somewhere else on the east coast. That is simply not the cost model we are faced with in the Northern Territory.

I am more than happy to discuss where that \$90m is chewed up through the training sector to help explain that we are investing as heavily, if not more, than ever before.

Mr DRABSCH: I point out that in our workforce branch within the business and workforce division, our budget for this forthcoming financial year is \$102,877,000. Most of that is grants. A lot of it is training grants for groups like CDU, the Batchelor Institute and registered training organisations. We have apprenticeships and traineeships that are targeted in those programs. We also have a migration program. We are hitting our target of about 2,000 skilled migration applicants through this financial year. Massive amounts of work are happening across the workforce area. The workforce attraction was a new initiative over and above those previous historical programs to deal with the pressures that we have been facing with the skills shortage, as we came back out of COVID. I do not know whether Cathy wants to add to that.

Ms BOOTHBY: No, that is fine. Chair, I have so many more questions, including to Mr Drabsch's point about traineeships and apprenticeships and migration. I am conscious of time and my colleagues want to get their outputs. Can we move along?

Mr BOWDEN: I would not mind asking questions about traineeships and apprenticeships; it is a key area of interest of mine. Can you outline some of the initiatives for traineeships and apprenticeships, knowing we need to build our workforce from within the Territory?

Mr KIRBY: Yes, it is a passion of mine after completing a couple of apprenticeships on my way through. The demographic of apprentices has changed. Unless you have a career advisers within school who has a passion about the VET sector, it becomes difficult. Kids will quite often get that information from their parents, depending on what industry their parents might be in, or from their parents' friends. It is a challenge for us and something we are constantly evolving.

We did a skills and careers seminar, which we had not done for a couple of years for a few different reasons. They probably were not hitting the targets anymore and then, of course, when COVID hit, we were not bringing large numbers of people into a small room. We had one the other day at the Turf Club. We had hundreds of kids through over a couple of days. A massive range of industries were there engaging with kids. Some were hands-on demonstrations for kids and some were explanations about what their industry can offer. There are probably a couple of us in the room who would argue wholeheartedly about what the electrical industry can do and how diverse that is and why it is a fantastic industry for people to go into.

Through all the partners we work with—RTOs, group training organisations, CDU, Batchelor and passionate people like the Rusca Bros who do an amazing job getting kids to Darwin. It was fantastic to have Jason Jones sit in front of the other ministers from around the country and the federal minister to explain the passion and depths they go to in order to train kids from Kalkarindji, bring them to Darwin, house them at Noonamah and make sure they have wraparound and pastoral care. To be honest, outside of here, north Western Australia and north Queensland have similar issues to face. It was an eye-opener. We had some real acknowledgements from other ministers about how wonderful it was to have the opportunity to listen to people who were passionate about that.

We are doing great things with training Aboriginal apprentices as well, but I perhaps will not go through all that data and information because, like the Member for Brennan, I am extremely conscious of time and keen to get to some other outputs.

Mr BOWDEN: I think a trade is a job for life. The Member for Brainting might agree. He is a sparky by trade. Thank you, minister, because we need to train our own workforce.

Mr CHAIR: That concludes consideration of Output 2.2. Output 2.3 is the responsibility of another minister, so we will move past it. That concludes consideration of Output Group 2.0.

OUTPUT GROUP 3.0 – TOURISM, SERVICES AND HOSPITALITY **Output 3.2 – Events**

Mr CHAIR: The committee will now move onto Output Group 3.0, Tourism, Services and Hospitality. Output 3.1 is the responsibility of another minister, so we will move to Output 3.2, Events. Are there any questions?

Mr DRABSCH: Before we start, I indicate that the Northern Territory Major Events Company is a corporation that we fund, but it is not subject to the Estimates process. Although we might be able to talk about events in general, the operations of NTMEC are not subject to the Estimates process.

Mr CHAIR: Thank you, Mr Drabsch.

Mr BURGOYNE: The Masters Games is a huge generator of money and income to the town of Alice Springs. It has always been held in the even years since it was first held in 1986. For some reason we were told that it would take place in 2023, but it has now been cancelled. Does Major Events and you, as minister, understand the importance of the Masters Games to the Alice Springs economy?

Mr KIRBY: Was the question 'do I understand'?

Mr BURGOYNE: That is the question. For some reason the Masters Games was cancelled. We were told it would be in 2023, but it will now not be and has been pushed back. I think a blind man could see that would never work out because the Australian Masters Games are held in the odd years. That is why it has always been held in the even years since 1986, but for some reason, we were all told it would happen in 2023. Why has it not happened?

Mr KIRBY: As you well know, there were some COVID interruptions that meant that the much-loved games did not go ahead in Alice Springs. There was a push from the good folk of Alice Springs and the sporting bodies there to get it back desperately, as soon as possible. We obliged by initially announcing that we would run the games in an odd year. This is not normally the case, as you said. The Masters Games is traditionally in the even years. With the worker shortages and as businesses got back up and running post-COVID, we listened to Alice Springs businesses, the sporting entities and bodies that had a real concern that they would not be able to pull together an event to do it justice in 2023. Through consultation with those people and businesses, the decision was made to push the Masters Games back to 2024. It is scheduled to go ahead in 2024.

We recently announced an Alice Springs mile-type of event to go ahead—a running race and a host of events to wrap around that—including a Paul Kelly concert that we are extremely happy to see in Alice Springs in October. Hopefully, that will be used as a bit of a teaser for the 2024 event.

The world has changed a lot post-COVID. There are many more Masters Games around the nation now than there were many years ago. It is a passion of ours to help the Alice Springs economy and the folk down there. If they want to stick with the Alice Springs Masters Games, we will put everything into 2024, as they have requested.

Mr BURGOYNE: I certainly hope so. The Alice Springs Masters Games was the second of its kind anywhere in the world. You are right; a lot of people have followed our path and put on their own masters games, but it is important that we continue to hold the Masters Games in Alice Springs, so we can ensure the money and the people it brings to town continue.

Major Events supports a huge range of events across the Northern Territory. One of the largest major events we have in Alice Springs is the Finke Desert Race. How much money does Major Events provide to the Finke Desert Race so that they can ensure their event runs smoothly every year?

Mr KIRBY: For commercial-in-confidence reasons, we do not discuss individual amounts that different entities get across the funding arrangements. As Shaun explained a few moments ago, they are an entity that sits outside of government. I can acknowledge our government's awareness of the importance of the Finke event.

I was lucky enough to catch up with NT and Australian motorsport people over the weekend during the Supercars. We reiterated our passion for the event and thanked them for their support over a number of years.

I, as Minister for Major Events, and our Cabinet members gave a real acknowledgement over the past couple of months in the lead-up to the very recent event that it was so important to Alice Springs. It is a passion for us to grow that event into an even more substantial event for the Alice Springs area.

Mr BURGOYNE: There is \$24m provided to Major Events. As the government, are you ensuring there is a balance in that funding across the Northern Territory? Do you have any idea of the funding that goes into

Darwin, Tennant Creek, Katherine, Alice Springs and rural areas across the Northern Territory, or are you happy with the way the Major Events Company is spending Territorian taxpayers' dollars and never ask where that money is being spent?

Mr KIRBY: I appreciate your passion for the Central Australia region. Investment is not just getting teams like the Melbourne footy club to continually come, the Parrtjima light festival to repeatedly happen or the couple of other major events we have just discussed, but also the smaller events like the Beanie Festival and a range of different community-based events. We do not see exact dollar figures for each one of those events. We do not discuss that.

We have ongoing discussions about our passion to make sure the Central Australian region is supported as much as it can be. I look forward to being back there soon to see the Melbourne Football Club take on the Giants. The Melbourne footy club have real connections with Central Australia through the players who play with them. They have a passion to get out to remote communities to play games. We look forward to supporting that in the future.

Mr BURGOYNE: Can you take a question on notice outlining the money spent by region across the Northern Territory by the Major Events Company? Surely that does not breach any commercial-in-confidence.

Mr KIRBY: All I can do is reiterate that we do not discuss individual amounts of funding for different events across the Northern Territory for commercial-in-confidence reasons.

Mr BURGOYNE: Are you happy with Major Events being given \$24m, and you do not care where it goes?

Mr KIRBY: We work closely with the Major Events team. They do an amazing job. You only needed to be in and around Darwin over the weekend to see the number of people who came in for the Supercars. It is a massive event and generator for the Northern Territory Government.

The money made through events like the Supercars is not just spent in the Top End; it is distributed throughout the Northern Territory through our budget allocations. I will not commit to giving individual figures about which event receives which amount of money.

Mr BOWDEN: Do we have some data from the weekend or do we have data from previous Supercars, like how many people go through the gates, revenue generated and people employed? We just had a workforce contribution, but I was there. It was a huge event. There were thousands of people working. My daughter worked for two days. I think she was there on Saturday night until 11 o'clock. She earned a few dollars but I had to pick her up, which was a bit hard. Do you have any of that data?

Mr KIRBY: We will not have data for this. We have basic numbers. We know there were over 42,000 people through the gate over the weekend. This will be similar to the number of people who went through last year. Over the coming weeks and months, that will be extrapolated into how many hundreds of visitor nights that means and what that generated for the economy. That generation of funds helps young people get jobs.

Importantly, the V8 Supercars CE invited the entire board here for a meeting. These are investment tycoons, for want of a better word, and we were proud to welcome them to the Northern Territory. They are looking to expand Supercars into different countries. They do a bit of work in Asia, Abu Dhabi and places like that. They are looking to expand, so they invited investors to come to Darwin because they are proud of the event they put on in conjunction with the Major Events team and the Northern Territory Government and all the volunteers and all the workers who take part. We had the opportunity to speak with those people about other investment opportunities.

You cannot put a finite number on exactly what it brings, because it brings exposure to businesspeople who operate at a different level and that can only be good for the Northern Territory.

Mr BURGOYNE: It has been brought to our attention that the Tennant Creek Show society has announced the show will not be proceeding this year. Will you seek advice or go to Major Events to assist in delivering the show? It is an event that is a highlight in the Barkly area and something that brings a lot of people to town and a lot of investment into the Barkly area.

Mr KIRBY: Through messages I have seen during the day, I know that our Chief Minister has reached out. We will be working closely with the Tennant Creek Show society and its committee to see whether there is anything we can do.

Some of the intel I had seen was that there were infrastructure issues and different upgrades ...

Mr BURGOYNE: Surely nothing a few sparkies could not fix.

Mr KIRBY: I know from experience that linesmen are inventive.

Without understanding the problems and concerns, you can rest assured we will do everything humanly possible to try to make sure the show can continue. Perhaps over the next couple of days, if we receive any feedback about that, I am sure whichever minister is in front of the committee at the time will happily give that feedback.

Mr BURGOYNE: Thank you for that undertaking.

Mr CHAIR: That concludes consideration of Output 3.2. The committee will skip through to Output Group 5.0. That concludes consideration of the outputs related to Agribusiness and Fisheries; Business, Jobs and Training; and Major Events.

On behalf of the committee, I thank the agency officers and Mr Drabsch and all their staff for the work they have put in behind the scenes—the hours away from family. It is appreciated. I know many have stayed back this evening outside of normal working hours.

Mr DRABSCH: Thank you, Chair, and thank you to the committee for your questions.

Mr KIRBY: I echo those sentiments and thank everyone within the department and agencies for all of their hard work.

I also thank the peak bodies that we have amazingly close relationships with. In the Northern Territory that is the only way you can do business and the only way that you can govern. I look forward to continuing those good relationships.

Mr CHAIR: We will bring in new departmental staff to join the minister at the table, so we will take a five-minute break.

The committee suspended.

VETERANS' AFFAIRS

DEPARTMENT OF THE CHIEF MINISTER AND CABINET

Mr CHAIR: We can now move onto the Veterans' Affairs portfolio. Minister, I invite you to introduce the officials accompanying you this evening.

Mr KIRBY: Thank you, Mr Chair. We have James Bear, Senior Director of DefenceNT, with us this evening. I thank James for all his assistance. I have some brief opening remarks on the Veterans' Affairs portfolio.

The Defence veterans' engagement team sits within DefenceNT business unit, which is part of the Investment Territory division of the Department of the Chief Minister and Cabinet. There are two full-time equivalent positions dedicated to the Defence veterans' engagement team as part of the broader team of nine FTEs in DefenceNT. The role of the Defence veterans' engagement team is to provide leadership and coordination and to engage with the veteran community and stakeholders to understand and address issues and promote the positive contribution of veterans and their families in the Northern Territory and our broader community.

In May 2023 the first ever Northern Territory Defence Veterans Strategy was released and developed in close consultation with the veteran community. The strategy's vision is to make the NT a more attractive and supportive place for veterans and their families to live and work. With the release of the strategy the Chief Minister announced that a minimum of 20 ex-serving veterans would be hired in the NT public sector each year going forward, commencing from 2023–24. Work is also being undertaken to enhance pathways from the ADF service into Defence and construction industries in the Territory, with approximately 250 personnel transitioning from service each year in the Territory. This provides a significant opportunity to retain highly capable people and grow our workforce.

With the Northern Territory Defence Veterans Strategy now live the focus is on implementing its objectives across employment, health and wellbeing, and respect and recognition. The Northern Territory Government will continue to work closely and collaboratively with the veteran community and deliver positive outcomes in the coming financial year. We will be progressing the NTPS veteran employment target, strengthening the connections between transitioning personnel and industry, work to grow and promote health and wellbeing services, work to open up eligibility criteria for the NT Concession Scheme and continue longstanding support and promotion of commemorative events and activities.

We look forward to answering any questions along with James this evening.

Mr CHAIR: Are there any questions on the opening statement?

Ms BOOTHBY: Thank you, minister. I also thank all your public servants here tonight and to those who have pulled together all the information on questions we may ask.

How many veterans have received crisis mental health support in the reporting period?

Mr KIRBY: That is not something that would be reported through our agency. We know veterans mental health is a key thing, an initiative and a driver for making sure we look after our veterans. There is a range of work we do in conjunction with Mates4Mates but absolute data around presentations for people with mental health issues is not data our agency would keep. I am not even sure whether that would be collected. It would depend on when a person presented for professional help whether they identified as a veteran at that time.

Ms BOOTHBY: Given that crisis mental health support is in the veterans' strategy you just talked about in your opening statement, Territorians, especially veterans, would expect you have some idea of the numbers of people who require that crisis mental health; otherwise, you would not know whether it was a problem with veterans and it could just be anecdotal. What information are you using to put that in this strategy document to make it a live, implementable document?

Mr KIRBY: Across Defence and through the veteran establishment and environment and community—not just across the Northern Territory—it is well known around the nation. We hosted the veterans' royal commission into suicide in Northern Territory. We understand their emotional wellbeing is something that a lot of veterans do struggle with. That is a known, not just across the Northern Territory but across the nation.

It is important for us to acknowledge that, do the best we can with all the ESOs, make sure we have as much support for our veterans as we possibly can and that our health facilities have the capacity to assist people when they come in, whether those people identify as veterans or not.

We have done a host of work since 2021 and not just through the national Census, which gave us a better understanding of exactly how many veterans were in the Northern Territory. Now we have a better understanding of how many identify within the public service and different realms of employment. If people choose or choose not to identify when they are getting assistance, it is completely up to them.

Ms BOOTHBY: I am not disagreeing with you that mental health is the number one issue veterans are facing, as well as needing support, especially the crisis support.

What is available right now for a veteran in crisis that was not available before the veterans' strategy document was released?

Mr KIRBY: The veterans' strategy is a high-level document that outlines what our passions are and what opportunities will continue to be created for people in the future. It is being done in conjunction with our veteran community. Does that mean we have as many facilities in place as we would like? We will continue to work on all those things and make sure people have the capacity to get into any professional assistance programs they need to.

Through our public employment, we are getting better data about how many veterans we have across different streams of our employment scenarios, which assists in that. Our veterans' strategy is a high-level document and something we will continue working with veterans on.

In my ministerial council, wellbeing comes up consistently. I am proud to see the Mates4Mates wellbeing centre open on the Stuart Highway recently. They have a number of professionals at that building who, on a weekly basis, help identify veterans who might be struggling. It is a fantastic facility that we have needed

in the Northern Territory for a long time. I thank the federal government for its assistance in getting that up and running recently.

Mr BOWDEN: How long has Mates4Mates been in the Territory now?

Mr KIRBY: Mates4Mates was the recipient of the original funding for the wellbeing centres. That was a funding regime that rolled out, maybe not around the nation but in a number of other states and territories. That was the catalyst for Mates4Mates to start to have a larger presence in the Northern Territory.

Initially conversations were with Darren Chester, a very good Veterans minister and a regular visitor to the Northern Territory. Give credit where it is due; he was passionate about trying to get that funding out the door. As quite often happens in a smallish community, people tried to agree on exactly where it needed to be, if it would be based in Darwin, the northern suburbs or further down the track; what it needed to look like; and whether it was big enough or small enough. There was a range of issues people had to work through before we could do that.

In the time that I have been Veterans minister, Mates4Mates has increased its footprint through the Northern Territory. The wellness centre on the Stuart Highway is a game-changer. We will continue to work with it. It has done a mountain of work out of the Palmerston facility, with a lot of great initiatives. Some initiatives you would not expect such as its popular cooking classes and different things for people who have the time and capacity to get together. I applaud the work it does and I look forward to growing its footprint across the Territory.

Mr CHAIR: I have one follow-on question, but if it is not in your wheelhouse and it relates to Minister Moss, that is fine.

There are 10 private health mental health beds that are funded out there for veterans. Are you or James able to talk about that some more?

Mr KIRBY: James may be able to put a little more clarity around that. It is an initiative that started a few years ago. I can only take my hat off to the professionals who work out there. I have conversations and some engagements have taken place. I am happy to run through a lot of the official engagements we go to, but some of the unofficial engagements are coffees over at Mad Snake and different people who come in there.

Some of the mental health professionals and practitioners will put their hand up and say, 'If you are not sure what to do, bring people to me, we know that we can help', whether that is through emergency or the general or private hospital, or through these designated beds. We encourage people to look after their mates and put their hand up if they need help. We have some fantastic personnel working within our team now and one of them has had a passion around mental health and suicide prevention for many years. That good work will continue and we look forward to working with all those people.

Mr BEAR: The beds you refer to are at the Darwin Private Hospital facility. I believe it is up to 13 beds dedicated for veterans with mental health issues. That adds capacity alongside the various elements of the public system up here. As the minister mentioned, there is a number of other ex-serving organisations and service providers—Mates4Mates et cetera—that assist veterans, both current and ex-serving, with mental health issues as they arise.

Ms BOOTHBY: I note that the NT Defence Veterans Strategy appears to just be a document pulled together of existing initiatives that have been ongoing for a long time. That being said, can you talk to me about a veteran who leaves the military who would receive more generous benefits if they were to move from the Territory, say, to Queensland? Why do you continue to say that veterans have concessions and that you are working on improving this when it remains the fact that veterans have more incentives to relocate than to stay in the Territory?

Mr KIRBY: I am happy to clarify that as best I can. It is true to state that some veterans might be able to avail themselves of different benefits in different states. I can clarify that if people are gold card and TPI, they have the capacity to enter into our local Concession Scheme. I do not want people to be of the misunderstanding that people cannot currently access the Concession Scheme. They can but, unfortunately, they need to be on that particular card and totally permanently incapacitated as well. Ideally, that would not be the case. It can be a war widow and a widower as well. There are some capacities for people to enter into those schemes.

We have done a lot of work over the last 12 months to investigate how better to get people onto those schemes. I highlighted earlier that we are and have been data poor about the number of veterans in the

Northern Territory, which creates a real problem about any initiative that we put forward. If we cannot quantify exactly how many it will apply to, you cannot cost it. If you cannot cost it, that makes it really difficult to get it through Cabinet and the Treasurer to get it into the Treasury book.

I acknowledge what you are saying about 'are there any or enough new initiatives' in the strategy. Some of the work we are doing is with industry skills councils and we pay some respect to them for the body of work they are doing. We really do want—whether it is through the public sector and those instruments we explained before—is about employing more veterans into our public sector or within the private sector. We know that veterans have a specific set of skills and in a skill shortage there has never been a better time to transition people into the construction industry as engineers, or into different industries. There is a body of work that is absolutely happening with that.

Ms BOOTHBY: Can I ask you about that? I am interested in the employment stuff. The employment engagement officer position with Soldier On has just been made redundant from the national group of Soldier On. That role was pivotal in this veterans' strategy, but it will not be there. Does that mean the strategy implementation is unable to be completed and will this role be taken up by department staff instead?

Mr KIRBY: I appreciate the question and for those listening, there was some federal funding for Soldier On that will to continue. We have a very good local operative in that position currently and we are in the midst of working through how we might best be able to support keeping that person in that role initially.

I perhaps might hand over to James at this stage to explain more. I acknowledge he was integral in pulling this document together and with his connections through the Northern Territory. We will work as hard as we can to keep him in that position.

Mr BEAR: We are in discussions with Soldier On at the moment. As stated, the federal funding for Soldier On's pathways officer in the Northern Territory ceases at the end of this financial year. There is no additional funding from the federal government at this time. What we are doing is working with Soldier On and potential industry partners in the Territory to try to see the pathways officer position continue for the next 12 months and, hopefully, beyond.

We are getting close to the end of the financial year and are having many discussions to get that over the line. The intention is to do that. As you mentioned, Soldier On is referenced in the strategy and they play a key role to engage with transitioning personnel. We want to strengthen that link between transitioning personnel and industry in the Territory.

Ms BOOTHBY: If it is not filled in some other way and funded somewhere else, it puts that part of the strategy under risk of not being implemented, does it not?

Mr KIRBY: We are extremely committed initially to try to retain the current person in that role. He is extremely well respected through not just the veteran community but also the broader community for his hard work. We will try as hard as we can to have that gentleman retained in that position. If our efforts in that regard do not come to fruition, we would leave no stone unturned for how we keep that person engaged in those exact type of initiatives through the Northern Territory.

We only want to employ more veterans through the Northern Territory. We pay a massive amount of respect to veterans. They smash their bodies around like not many other professions, as the Chair well knows, in the warm conditions up here.

There are fantastic opportunities for Defence families and Defence wives. There is even someone working in my office and they are fantastic to work with.

I can see only good reasons to try to encourage more veterans to stay in the Northern Territory and that program is a big part of that.

Ms BOOTHBY: Mr Chair, I am conscious of time. I know the public employment output needs to be discussed as well, so I have no further questions on veterans.

Mr CHAIR: That concludes consideration of Output 5.1 and Output Group 5.0, which concludes consideration of all outputs relating to Veterans' Affairs.

Thank you, Mr Bear, for coming in this evening and all the hard work that you and Mr Hull have put into this.

Mr KIRBY: I acknowledge James and all the hard work he has done. We have a small and passionate crew within that team and also within our veteran community. That lends itself to fairly willing discussions at times. We will continue to front up to the discussions and the 20 or 30 different events we support. Our Defence and veterans community is a massive part of the Northern Territory and I want to go on the record to pay my respects to them.

The committee suspended.

PUBLIC EMPLOYMENT

DEPARTMENT OF THE CHIEF MINISTER AND CABINET

Mr CHAIR: I invite you to make an opening statement for the Office of the Commissioner for Public Employment and introduce your officials.

Mr KIRBY: Mr Chair, I will make a brief opening statement and then introduce our small team.

The commissioner's office is an independent office within the Department of the Chief Minister and Cabinet, identified as an output group in the Chief Minister and Cabinet's 2023–24 Budget, with four standalone outputs.

The Office of the Commissioner for Public Employment is responsible for managing legislative employment arrangements for Northern Territory public service employees and administers the Northern Territory's *Long Service Leave Act* and *Public Holidays Act*.

Significant activities from the commissioner's office over the last 12 months include progressing actions to address the NTPS People Matter Survey Response Plan, which identified three key sector-wide areas determined by employees under the 2021–22 survey; and releasing the new People Matter Survey on 19 May 2023. This will help identify whether the actions taken under the response plan have been successful. The office is delivering key actions under the NTPS Workforce Strategy; negotiating improved employment conditions for NTPS employees; and releasing an updated Code of Conduct, which applies to staff sector-wide. I look forward to answering questions from everybody today.

With us, we have Commissioner Vicki Telfer; the Acting Director Employee Relations, Rachael Dunn; and Director of Strategic Workforce Planning and Development, Libby Doney.

Mr YAN: Thank you, minister, for your opening address. I also thank all the public servants for being here tonight. It is not quite as late as last year. We get to go home a little earlier.

I will start with a couple of basic questions. What is the current number of public servants, as at the end of the reporting period?

Mr KIRBY: As at March 2023, the staffing figure was 22,040 FTEs.

Mr YAN: That is a decrease from last year of 495. Where have those decreases been?

Mr KIRBY: I will hand over to the commissioner once we find that detail for as much of a detailed explanation as we can give of those numbers.

Ms TELFER: The changes have been in a number of agencies. It is going back to pre-COVID numbers. Consistent with the abatement of the surge workforce, the Department of Health has experienced decreases of 667 FTE, a quarterly decrease of 127. It is exactly what we expected and what should happen post-COVID. That is the major one.

A couple of other minor changes have been in areas such as Infrastructure, Planning and Logistics, but the majority of this has been in Health. There have been increases in other areas as well.

Mr YAN: You confirmed that most of those separations were COVID-related. Was there opportunity for those people to apply to other areas of the public service prior to being transitioned out?

Mr KIRBY: I can speak in general terms before I hand over. Yes, we would normally try to retain people within the public sector if their skills and capacity fit what we have a vacancy for in the Northern Territory. Obviously, movement of people post-COVID and worker shortages have meant that some people have taken up opportunities to move on.

When I first moved to the Northern Territory in the 1990s, the movement of staff around the public sector was pretty fluid. You could acknowledge that in more recent years people tend to stay put when they have good working conditions. I am not sure whether we have more specific information about the number of people who were able to stay within the public sector.

Ms TELFER: We have a fluid workforce in the Northern Territory public service, as some of you might know. We have a lot of people join us and a lot leave. I expect that there is a lot of people who have been picked up through that process. We also know we have had, for example, 129 people retire. We have also had some people whose jobs, unfortunately, were no longer needed, so they were retrenched. We have a fluid workforce. That is not unusual; it is a pattern going back for many years.

Mr YAN: You spoke of retrenchments. How many people were retrenched during the reporting period?

Mr KIRBY: We have the figure of 23 voluntary retrenchments throughout that reporting period.

Mr YAN: For those 23 voluntary retrenchments can I get a breakdown of their agencies, please?

Mr KIRBY: Although we have those overarching figures, we might not have what individual agencies they were from. I am happy to take that on notice.

Question on Notice No 7.6

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: Minister, of the 23 retrenchments can you please provide a breakdown of those retrenchments by agency? Apart from which agency, what positions were those voluntary retrenchments?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: With an acknowledgment that in a small town in a reasonably small public sector we would not supply such information that might identify an individual.

Mr YAN: I do not need to identify; I just need generic position types and from what agencies, please.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 7.6.

Mr YAN: What is the current average separation or turnover rate for the reporting period and how does that compare with last year?

Mr KIRBY: I can clarify the separation rate at the end of the financial year 2023 was 12%. As for how that compares with other years we will not have that information in front of us. The information we have in front of us today is just for the reporting period for the Estimates we are talking about.

Mr YAN: So you do not have the figures for the same period last year?

Mr KIRBY: Not in front of us, no.

Mr YAN: That is all right. They will certainly have them somewhere.

Over the last few days we have spoken to Corrections and Health and we were talking separation rates of 14% and 16.8%. I find even that 12% rate quite high. Are there any concerns from OCPE about that high level of separations? Because if memory serves me correctly, separation rates used to be in the vicinity of around 7% to 8%.

Mr KIRBY: I am just thumbing back to see whether I can find some of that previous paperwork that highlighted—Police was one of the entities that had a reasonable increase. We know there has been a lot of chatter about movement within the police force.

We know that people come and go. People take different career opportunities while there are worker shortages in different sectors within the Northern Territory. I will use the retail sector for example. We know they quite often get frustrated because they train people up and they move to the public sector because they get good wages and conditions within the public sector. I also acknowledge people from within our public sector will at different times use the skills that they have to further their career and that might not be within the public sector.

I am happy to look at last year's rate. We have just had a message through saying that last year's rate was 11.7% across the board.

Mr YAN: So we have seen a 0.3% increase in the reporting period from last year. Can you provide the exact number of resignations for this reporting period? Again, I would be interested to compare that with the same reporting period for last year.

Mr KIRBY: Our resignations that we have at hand for the reporting period was 2,692. We may have to wait for exact information to come through on previous periods that are not within the reporting period. We will try to do that through the course of the evening.

Mr YAN: Maybe while we are waiting for that detail can you provide the number of terminations for the reporting period?

Mr KIRBY: The information we have in front of us is that dismissals or terminations is at 31.

Mr YAN: Would I be able to get a breakdown of those terminations by agency, please?

Mr KIRBY: Perhaps before we move on to that next question, where we stated there were 2,692 resignations, we had a message explaining 2,747 was last year's figure. It is a similar amount.

Mr YAN: Of those terminations, am I able to get a breakdown by agency, please? I am happy to put that on notice.

Question on Notice No 7.7

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: Of the 31 terminations for the reporting period, could I have that broken down by agency?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 7.7.

Mr YAN: Minister, how many EBAs are currently under negotiation, and how many have completed negotiations and are awaiting approval from Fair Work?

Mr KIRBY: We have a working spreadsheet in front of us, so I will work through it. Fire and Rescue is still being negotiated. Nurses and midwives are about to go to ballot. Medical officers have voted to accept the offer. Territory Generation is going through drafting with that document. Dentists are about to go to ballot.

Teachers and assistant teachers were one of the first agreed to late last year. The general agreement and Jacana were also agreed earlier in the piece. I am happy to say our correctional officers accepted their agreement a number of months ago. Aboriginal health workers have accepted their offer. The NT Police consent agreement has been signed in the last period, and Power and Water has accepted the offer.

I go on record to thank everybody. It is an unusual set of circumstances for that number of agreements to run out at the same time. It put an enormous amount of pressure on the commissioner and her tiny,

hardworking team. I thank them and also acknowledge the work the unions have done, because it requires patience on their behalf as well. I thank everybody for the constructive manner in which we have been able to work and reach agreement. I look forward to hopefully finishing those last few in the coming weeks and months.

Mr YAN: Can you outline the cost of legal services for Fair Work matters?

Mr KIRBY: I think it was explained in a previous answer by the Attorney-General that the costings for legal matters go back to the agency. We might have an indication of matters that were before us.

I will hand over to the commissioner for a fuller explanation.

Ms TELFER: We are a tiny team; we do not have money for legal expenses. We avoid that wherever possible. If we have legal expenses, we generally send them back to the agency for it to fund. I am trying to find my data at the moment, but I do not believe we have spent any money on legal expenses in the last year. If there is a change to that, I will give that information to the minister in a moment.

Mr YAN: I am happy to take it on notice, if it is easier.

Mr KIRBY: I am happy to take that on notice.

Question on Notice No 7.8

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: Can you provide detail of the cost of legal services for OCPE for Fair Work matters?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 7.8.

Mr YAN: The NTPS 2021–2025 EBA was amended in October last year, providing that 2% increase in wages. We know that will finally be paid to public servants on 31 August. What has been the delay in providing that increase to public service employees?

Mr KIRBY: We have just explained the large number of enterprise agreements, unusually, that are up for negotiation all at one time. That has put some pressure on a small team that punches well above its weight in being able to get to everything that we wanted to in the period.

I will hand to our commissioner, Vicki, for the time frames involved in that set of circumstances.

Ms TELFER: As you quite rightly point out, the policy was amended in October last year. We had been negotiating the live agreements—the ones that were outstanding—as they were falling due. That meant we had to change tack quite a bit. We are now in the happy position where we have most of those agreements done.

The two agreements that were impacted by the change of wages policy that were already completed were the general agreement—in colloquial terms the NTPS enterprise agreement—and the Jacana enterprise agreement. They were finalised. They each contained a clause that said that if there was a change in wages policy during the life of the agreement, any net additional benefits would be passed on. Those payments are due for Jacana in July and for the general in August. The matters have both been concluded. The unions were patient with us as we worked through what it meant and how we would apply the wages policy. I thank them for their patience.

We were able to negotiate and finalise those determinations. They have been made and people will get not just the \$2,000 lump sum in July for Jacana and August for the general, but also 2% pay increases if their salary is above \$100,000, or an increase in the base salary of \$2,000 where the salary is below \$100,000. It took some time to work through exactly how that would be done, but we have done that in sufficient time ahead of when both the Jacana and the general enterprise payments are falling due.

Mr YAN: Why are those payments not happening until July and August when those agreements had been reached? Why are they not happening in an earlier pay period?

Mr KIRBY: The commissioner has done a good job of laying out the technical details involved. The pay matters we had in front of us were pretty complex to try to work around once we had the opportunity to have a look and do costings. We think we will come to a settlement with the unions that they will be happy with, understanding that the wages policy was changed in October, which would have been after the payment of their first two rounds in those enterprise agreements. We think we have landed on the settlement that will satisfy people in the future.

Mr YAN: It smacks of an accounting tactic so that you do not have to make these payments in this financial year and can defer them to next financial year to make your bottom line look better. Is that the case?

Mr KIRBY: I can clarify that is not the case. It is nothing to do with that. You know yourself the number of enterprise agreements we have had on the table to negotiate the capacity that has given us to get into the teeth of negotiations, do the costings or the understandings of moving from one wages policy to another one and the complexities around that. The payments will be made exactly when they fall due in the enterprise agreement payment cycle.

Mr YAN: You can explain that one to the public servants who are waiting for their pay rise.

As I am finishing up on time, I just want to touch on some stuff regarding executive contracts and their remuneration packages. Can an executive contract officer take a Northern Territory Government vehicle interstate on personal use?

Mr KIRBY: That is a specific question. I have been advised that they can if it is part of their contract, with permission from their CE to take vehicles interstate.

Mr YAN: If an ECO takes an NT vehicle interstate on personal use, are they allowed to use the NTG fuel card whilst outside the Northern Territory?

Mr KIRBY: My understanding is the fuel cards are available to be used within the Northern Territory but not outside the Northern Territory.

Mr YAN: Is this clearly stipulated to ECOs who have a vehicle as part of their remuneration package?

Mr KIRBY: Just clarifying the question, is it stipulated to those ECOs?

Mr YAN: Is it stipulated to ECOs who have a vehicle as part of their remuneration package?

Mr KIRBY: It is in the motor vehicle policy and should be explained to them as they come on board to work under those arrangements. It would be within their contract as well.

Mr YAN: Is there a mechanism within OCPE or within an agency for an ECO to request to utilise a fuel card whilst on personal interstate travel?

Mr KIRBY: If a particular agency has made certain arrangements outside the general rules that the commissioner has set out across the public sector, there may not be the capacity for the commissioner or her staff to be aware of that.

Mr YAN: An agency could provide that mechanism for an ECO to utilise that without consultation with OCPE?

Mr KIRBY: My intel would be that they probably should not within the boundaries of the public sector employment guidelines and the contracts they operate under. Can we guarantee that has never happened in the past? We would have to take advice from CEs around that.

Mr YAN: If an ECO did, without authorisation, utilise an NTG fuel card on personal interstate travel, what would be the process for recovering any costs attributed to that fuel?

Mr KIRBY: Given that is quite a specific question—it has been a while since I have worked within any of those disciplinary matters—I will hand over to Commissioner Telfer for an explanation.

Ms TELFER: You might have heard what we run in our Code of Conduct training when I was in Alice Springs recently for the Aboriginal Employment Forum. We have an example of someone who misused their fuel card. They did not get permission for use and they were subject to a disciplinary process and terminated from employment.

I cannot speak for every circumstance within ECO, but if someone misuses something that has conditions around it, that would become a disciplinary matter and they might have their employment terminated. It is simple, but someone might have told you about our Code of Conduct training, as that is a very specific example we have.

Mr YAN: Have there been any instances of ECO misuse of NTG fuel cards in the reporting period?

Mr KIRBY: Acknowledging that the commissioner just gave a really specific example outside of the reporting period, we would have to take that on notice to get around to agencies to see whether anything was reported within the specific reporting period.

Mr YAN: I will be asking how many and which departments as part of that question on notice.

Question on Notice No 7.9

Mr CHAIR: Member for Namatjira, please restate the question for the record.

Mr YAN: Have there been any instances of ECO misuse of NTG fuel cards in the reporting period; and, if yes, how many and which departments?

Mr CHAIR: Minister, do you accept the question?

Mr KIRBY: Yes.

Mr CHAIR: The question asked by the Member for Namatjira has been allocated the number 7.9.

Mr YAN: What is the current total of salary overpayments to NT public sector employees?

Mr KIRBY: Are you asking specifically how many public sector employees are currently acknowledged as having been overpaid and are currently under back-pay arrangements?

Mr YAN: No. I am asking generally whether there is a current total of overpayments where NT public sector employees have been overpaid. There is generally an outstanding amount that has been highlighted by the Auditor-General on a number of occasions.

Mr KIRBY: That is not information we would have. That is something that the Auditor-General picks up. It is not data that we would normally collect.

Mr YAN: I know the Auditor-General has raised it as a global issue. I suppose that the Auditor-General over the years has seen it in different agencies and different departments. Even though OCPD has carriage of employment across the government—effectively, the commissioner is the employer for all our public sector employees—that figure does not sit with you. Is it sitting only with agencies?

Mr KIRBY: I understand the Commissioner for Public Employment is the employer, but she is not the Treasurer or the commissioner for data and digital services who roll out those payroll systems. It is not information that we would traditionally have access to.

Mr YAN: Maybe I should ask tomorrow the minister for CDD, who has carriage of payroll.

Mr CHAIR: Noting we are under a minute from wrapping up, I offer the minister the chance to thank his staff.

Mr KIRBY: I thank all the committee members for staying late tonight. I thank the hardworking team within the commissioner's office, the commissioner herself and all the public servants. I thank not only those who pulled the information together for the committee, but all our hardworking public servants, and the unions that have been extremely patient and good to work with. We hope that continues.

Mr CHAIR: Thank you, minister, and thank you all for coming in this evening. I appreciate that much work goes into this. We do not get through every output, and in this instance we stayed on the opening statement.

This concludes the Estimates hearings for today. The hearings will recommence on Wednesday at 8.30 am with questions for the Minister for Treaty and Local Decision Making; Aboriginal Affairs.

The committee concluded.
