NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

PARLIAMENTARY RECORD

Tuesday 23 February 1988
Wednesday 24 February 1988
Thursday 25 February 1988

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NORTHERN TERRITORY LEGISLATIVE ASSEMBLY

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First Session

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Opposition Leader	Terence Edward Smith
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PART I

DEBATES

DEBATES

Tuesday 23 February 1988

Mr Speaker Vale took the Chair at 10 am.

PETITIONS
Liquor Licences

Mr SETTER (Jingili): Mr Speaker, I present a petition from 6024 citizens of the Northern Territory praying that the conditions of present and future licences issued in respect of supermarket premises and liquor merchants be amended to permit the holders of such licences to sell liquor on Sundays. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory of Australia respectfully showeth that, in the interests of the public and of economic fairness to licensees of supermarkets and liquor merchants who presently hold licences to sell for consumption away from their respective premises, the said licensees and merchants should be permitted to satisfy the demands by we the public to sell liquor on Sundays. Your petitioners therefore humbly pray that this petition will be so acted upon as to ensure that the conditions of present and future licences issued to licensees in respect of supermarket premises and to liquor merchants will be amended to permit holders of such licences, should they so wish, to sell liquor on Sundays.

Salary Levels of Chief Executive Officers

Mr REED (Katherine): Mr Speaker, I present a petition from 19 citizens of the Northern Territory praying that the Legislative Assembly will reverse the recent decision to increase salaries of Chief Executive Officers and will ensure that further pay rises be subject to the scrutiny of the Remuneration Tribunal or the Conciliation and Arbitration Commission national wage guidelines. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. Mr Speaker, I move that the petition be read.

Motion agreed to; petition read:

To the Speaker and members of the Northern Territory Legislative Assembly, the humble petition of the undersigned citizens of the Northern Territory respectfully showeth their concerns at the decision of the Northern Territory government to increase the salaries of Chief Executive Officers of the Northern Territory Public Service and the backdating of those increases to March 1987.

The petitioners believe that pay increases for all Territory public servants need to be subject to the scrutiny of the Remuneration Tribunal or the Conciliation and Arbitration Commission and in accord with national wage guidelines. Your petitioners therefore humbly pray that the Northern Territory Legislative Assembly take whatever

action necessary to reverse this decision and ensure that all further pay rises whatsoever adhere to the above procedures and guidelines and are in accord with the Northern Territory of Australia Remuneration Tribunal Act of 1985.

Your petitioners therefore humbly pray that the Speaker and members of the Northern Territory Legislative Assembly give due consideration to the above, and your petitioners, as in duty bound, will ever pray.

TABLED PAPERS
Administrative Arrangements Order

Mr HATTON (Chief Minister): Mr Speaker, on 15 February 1988, His Honour the Administrator amended the portfolio title of the Minister for Labour and Administrative Services to reflect the additional responsibility for local government matters. Mr McCarthy's new portfolio title is Minister for Labour, Administrative Services and Local Government. The Administrative Arrangements Order made on 23 December 1987 was amended accordingly. I table a copy of the amendment to the Administrative Arrangements Order made by His Honour the Administrator on 15 February 1988.

Report of the Auditor-General Upon Prescribed Statutory Corporations

Mr SPEAKER: Honourable members, I lay on the Table the Report of the Auditor-General Upon Prescribed Statutory Corporations for the year ending 30 June 1987.

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

Motion agreed to.

Subordinate Legislation and Tabled Papers Committee Fourth Report

Mr SETTER (Jingili): Mr Speaker, I lay on the Table the fourth report of the Subordinate Legislation and Tabled Papers Committee.

MINISTERIAL STATEMENT
New Procedures and Initiatives in the Police, Fire and Emergency Services Portfolio

Mr HATTON Chief Minister): Mr Speaker, I rise to make a statement on new procedures and initiatives in the police, fire and emergency services portfolio. Prior to the last Northern Territory election, the government released a series of detailed plans which spelt out our objectives and strategies for the future. The plan for law, order and public safety reaffirmed this government's commitment to the provision of effective law enforcement aimed at reducing the incidence of crime and disorder in the community. As part of the ongoing review process of police practices and procedures, our most crucial challenges have now been identified. In particular, the incidence of property theft and personal violence crime, the increase in the illegal drug problem, the ongoing road traffic toll and the need for even closer interaction with the community by police, fire and emergency services have been recognised as priorities.

I wish to make a statement outlining a range of initiatives and new procedures which are being introduced in the police, fire and emergency services portfolio. I commence with structural reorganisation in the police department.

A review of the police organisational structure has been completed. As a result, a new framework has been developed to allow the priority problems to be better addressed, to facilitate improved interchange between common functions and units and, not least, to respond to the growth of organised and sophisticated crime as well as the dramatic advances in information technology. This structural change is based on sound management principles and reflects the views and philosophies of senior police management. These principles include: the development of a structure in which people are trained for management positions rather than tailoring positions for individuals; a broadening of the command structure to provide for the development of a wider range of mid-level executives and to facilitate the improved proper delegation of tasks and responsibilities from senior management; and the enhancement of operations efficiency and effectiveness through the closer grouping of related functions, both in the investigatory field and the specialist support area.

The police commands have now been reduced to 3: Northern Operations, Central and Southern Operations and the Operational Support Command. This new structure allows, for example, all the specialist investigatory units, such as the Criminal Investigation Branch, the Drug Squad, the Criminal Intelligence Unit and the Forensic Section, to work together within the Crime Division. Similarly, a specialist division has been created to combine under a single command the closely related Air Wing, Task Force and Marine and Fisheries Unit.

The newly-formed Central and Southern Command now includes the Katherine region, acknowledging that area's population growth and increasing needs. This change will have the effect of distributing the workload more evenly within the commands while ensuring closer management control of the Katherine area. I am confident that this new move will ensure that the Katherine Division receives much more personalised administrative oversight, with the Assistant Commissioner being tasked with responsibility to visit the division at least 4 times per year. I might add that, under the previous arrangement in which the Katherine Division was attached to the Northern Command, it was found that the workload in the greater Darwin area was such that the Assistant Commissioner was unable to visit that division with any regularity.

The third command, the Operational Support Command, will encompass all non-operational units within either the Educational or Resource Services Divisions. This command includes the Police College, community relations, technical and traffic services, legal services and a newly-created Research and Development Unit which has particular responsibility for identification of priority education, resource and operations targets as well as the preparation and implementation of measurable strategies.

The restructuring of the Police Department is a result of the consideration of a number of proposals that were put forward. Each one was thoroughly analysed and most were considered to be feasible. The chosen model is believed to be the best, having regard to all the circumstances, including cost and practicality. This restructuring establishes the framework in which to build an even better police service than the fine one which already exists, a police force of which we are all extremely proud.

It is recognised that, if police are to respond properly to the ever-increasing pleas for help from society, planning must become more streamlined, police culture must be more reflective of the values of the wider community and strategies must be more flexible. The new organisational framework is intended as a launching pad for the following corporate philosophies, firmly believed in by Police, Fire and Emergency Services executive management. I will summarise them briefly. Firstly, although objectives for each division in a command may properly be the same, the means of achieving them and the order of their priority may vary quite markedly. Secondly, as a consequence, whilst strategies must conform to overall corporate thinking, they must be flexible enough to address the specific social and other problems relevant to a particular division or district.

Accompanying these organisational changes, there are a number of other developments which are intended to enhance the professionalism of our police force and its ability to respond to the changes taking place in the community that it serves. As members will no doubt be aware, the training of police is recognised as vital in the development of competent human resources. I am pleased to say that several new training programs and initiatives are proposed. The first prosecutors' training course to be conducted in the Northern Territory is presently under way in Darwin. The course has been designed to utilise the best external and internal lecturers available and it aims to provide practical and theoretical instruction, with specific emphasis on court procedures and etiquette. Magistrates and lawyers have given their endorsement and support to the course and the result should be better-trained police prosecutors in our courts. Planning is also well-advanced in the development of executive training programs aimed at middle-management. This training will ensure the preparedness of this group for the increasing responsibilities that it will accept within the new organisational structure.

As I am sure all members will be aware, police training within the Territory has been confronted with the difficulty facing most government organisations: the cost of bringing people from throughout the Territory to some central training area. At the same time, there is a real need for all police members to be kept continually up to date with legislative and procedural changes. The feasibility of a mobile in-service training team to service all police centres within the Territory and thus address this need is being examined at present. If this strategy is found to be practical, it will be introduced in the medium term. The long-term benefits of such a scheme should be obvious to us all.

While discussing strategies, I am pleased to announce that our police will be taking some bold steps to reduce crimes of personal violence and property theft. One of the initiatives to be introduced is the trialing of a modified neighbourhood watch scheme. This constitutes another link in the Northern Territory's established community policing network. No doubt honourable members will all be aware that introduction of the neighbourhood watch scheme has been suggested and considered several times over the past 4 years.

Before I refer to the perceived merits and concerns regarding the trialing of neighbourhood watch in the Territory, a number of factors that are frequently overlooked in the discussion of this issue deserve recognition. It is particularly important for members opposite to note that our police force has had in place for some time the overwhelming majority of community policing initiatives which constitute the neighbourhood watch program as it operates in Victoria, New South Wales, South Australia, Western Australia and the Australian Capital Territory. In those states, the neighbourhood watch program incorporates community education, school-based police, community

alert, operation alert, operation ID and safe houses, in addition to the establishment of community consultative committees. All of these aspects, with the sole exception of the community committees, have been instituted in the Northern Territory as an integral part of our community policing program. Operation ID, involving the identification of property with a driver's licence number, was introduced in 1985, as was the school-based safe-house scheme, the junior police ranger scheme and the nationally-coordinated Operation NOAH.

Prior to these initiatives, other programs involving community education were up and running. These include the NT Police and Citizens Youth Club, Blue Light Discos and the highly-acclaimed, school-based police program which began in 1984, a program which has since been copied in Western Australia and New South Wales. Many of the programs that I have just mentioned are directed towards youth who are known to be the major offenders in relation to unlawful entry and stealing.

The government has always believed that such programs would have a positive and long-term effect. This situation is changing, however, and we now believe it is time to move with that change. I wish to advise this Assembly that the government has long-recognised the merits of the neighbourhood watch scheme as it operates in other states. Nevertheless, we have been rightfully concerned about a number of problems which have been identified and which have caused us to believe that the scheme in its entirety may not be effective in the long term in the Northern Territory. These considerations include: the dormitory effect caused by the high incidence of families in which both partners work; the relatively small population base in the Territory and the lack of densely-populated areas, even in Darwin; the danger of neighbourhood watch committees identifying offenders by race and publicly commenting on this; the lack of police staff needed to introduce the scheme effectively and the danger that human resources would have to be diverted from other successful programs such as school-based policing which have good, long-term prospects; and, finally, the fact that neighbourhood watch was essentially developed in southern states to counter sophisticated and organised theft.

Circumstances in the Territory have changed to some extent and there is now evidence available from other states that the long-term effects of the neighbourhood watch scheme are positive. The evidence suggests that those effects can be sustained although it is still recognised that the program is costly in both financial and human resource terms. To cite the Victorian example alone, a survey of 730 neighbourhood watch areas, covering 533 900 houses, showed a decrease of 4.53% in residential burglary. This can be compared with an increase of 12.15% for the same offence throughout all of Victoria over the same period.

However, it is difficult to appraise accurately the success of the scheme in statistical terms as the formulas used to calculate success rates differ from state to state. Therefore, to draw comparisons between them is largely meaningless. Generally, statistics gathered in both Victoria and New South Wales indicate success in the reduction of unlawful entry, and stealing offences in areas where neighbourhood watch operates. It must be noted, however, that some evidence exists that criminal activity is merely displaced to areas not protected by the scheme. This will have to be monitored locally.

With the advantage of interstate experience and considering the high incidence of this type of offence in the Territory, we will now look to the introduction of a pilot neighbourhood watch scheme, modified to suit local needs. We believe that the community is sufficiently concerned to work

positively under police coordination to counter the increase in property offences. There is a range of methods that could increase community awareness, but a suitably-modified pilot neighbourhood watch scheme appears to offer the best chance of success.

For those members who are not familiar with all aspects of the scheme, it is designed to reduce unlawful entry offences by: encouraging people to improve home security measures and to mark or identify their property; prominently displaying street signs, house plates and stickers to deter criminals; heightening awareness of suspicious behaviour or activity; providing education on the necessity for such incidents to be reported promptly; and providing expert advice on crime prevention and other community policing initiatives.

We believe that the introduction of a neighbourhood watch scheme may well have the unintended positive benefits experienced in the states. These include the promotion of a more positive relationship between police and the community which provide a medium for vital communication to flow in both directions. It has also been noted interstate that, if a neighbourhood watch scheme is successful with the crime rate dropping significantly, the result is often a drop in enthusiasm and interest. However, a number of these community groups have then moved into alternative areas such as beautification of the local environment, training in first aid, resuscitation and defensive driving. Apart from the improvement in police and community relations, the possibility of enhanced community interaction is, of course, a very attractive by-product of the scheme.

I am pleased to advise this House that, based on the experience of schemes in other states, we will now trial a pilot neighbourhood watch scheme within the Territory. Once again, I stress that this pilot scheme will join a range of existing police initiatives which are already working to reduce the number of offences against property. A careful survey will need to be conducted to select suitable pilot areas for neighbourhood watch, but suburbs such as Nightcliff with its natural sea and harbour boundaries and Stuart Park, which also has distinct boundaries, are worth closer scrutiny. It is believed that, provided the introduction of the program is staggered sufficiently, it will be possible to pilot 2 suburbs or areas utilising 1 police liaison team and thereby minimising resource demand. Additionally, the spread of locations mentioned should allow more accurate assessment of the likelihood of any movement or displacement of criminal activity to areas not covered by the program.

It must be emphasised that the neighbourhood watch scheme is not itself the solution to the property theft problem. The very nature of the Darwin population, its size and youth, is likely to create difficulties not often found in southern centres. Nevertheless, pursuing our established community policing policy, all initiatives offering a reasonable chance of success will be trialed. The Territory's police are committed to doing everything possible to bring about a situation where our police are part of the community and not apart from the community. The need to achieve this is paramount and necessitates a readiness to adapt to changes in our society. The piloting of a modified neighbourhood watch scheme demonstrates that readiness, as it does the ongoing commitment of our police. I am sure that members on both sides of the House will join me in welcoming this development.

Mr Speaker, I wish to turn now to the establishment of a Research and Development Unit. Long-range planning is essential to any successful organisation. This is especially true of police services, both in the

operational sense and that of prudent capital works management. For this reason, a Research and Development Unit is to be created with a particular brief to identify priority targets and to develop effective means of measuring performance in relation to those targets. To provide an example of the value of such a unit, an initial task will be to formulate a positive recruitment program to attract members from minority, ethnic and racial groups. Other projects to be considered by the unit will include the monitoring of crime trends, including the emergence of new technological crime, and the creation of strategies and expertise to counter them. The new unit will also consider any submissions put forward by members relating to perceived methods of improving the organisation. Additionally, it will look at longer-term capital and resource needs.

This government recognises the potential problems faced by the miners in relation to theft in and from our goldmines. As members would be aware, this government's policy is to provide adequate protection and effective policing of the growing mining industry in the Territory. In order to achieve this objective, planning is well under way towards the formation of a 2-man police Gold Squad. Job profiles have been prepared and applications called from suitably-qualified police with appropriate investigatory expertise. To ensure close cooperation with the industry, the squad is expected to operate from government offices independent of the police centre and to work directly with the Chamber of Mines and the Department of Mines and Energy. These units are further examples of the progressive management style being developed in our police service - a style which recognises the need to respond to crime trends as they emerge.

I am pleased to record that there has been a dramatic increase in the Northern Territory in the identification of latent fingerprints. This is due to the establishment of the automated fingerprint identification system at the Berrimah Police Centre at a cost of $1m. Prior to the installation of the computerised equipment, the identification of fingerprints was at the level of approximately 5%. This has now increased to around 20% as at February 1988. The new system operates nationally and has assisted in identifying offenders with interstate convictions who would not have been identified under the previous manual system.

Mr Speaker, as would be clear to all honourable members, the promotion of positive community relations is of vital importance to effective policing. In this bicentennial year, planning is progressing rapidly for the department's major contribution: Protection Week. As you may know, Protection Week will be conducted throughout the Territory during the period 27 June to 2 July. The week will consist of static displays at police stations in the major centres with additional demonstrations in Darwin provided by units such as the Traffic Police, the Task Force, and the Fire and Emergency Services personnel. It is anticipated that the highlights of Protection Week will be special performances of the Royal Canadian Mounted Police Band at the Berrimah Police Centre. Protection Week is designed to make the public aware of the services available to them from the Police, Fire and Emergency Services, St John Ambulance, the Conservation Commission and security-related local commercial organisations. It is hoped that many schools will visit the display during the week and considerable interest has already been indicated.

Mr Speaker, I would now like to outline to you some of the major recent achievements of the Police Department. My election commitment to increase the strength of the force by 53 over the 1987-88 period is being realised, and 27 recruits are presently in training. This is necessary both to maintain an effective level of police service to the community and to allow for future growth.

In the capital works areas, there are a number of developments worthy of mention. Construction of the training complex at Berrimah is continuing. When completed, $8.9m will have been expended in this area. The centre consists of an administrative building containing office facilities for Police and Emergency Service instructional staff and a training complex which has an ultra-modern, fully-equipped area made up of classrooms, syndicate rooms, library, theatrette, a simulated house for practical exercises, ablution blocks and general training facilities. The complex also incorporates a gymnasium comprising a large, external, naturally-ventilated area with a soft, rebound floor and facilities for a number of sports, including an air-conditioned, state-of-the-art, weight-training room. The gymnasium is a joint-use facility shared by the police and young people of the Police and Citizens Youth Club and, as such, is an example of the rational use of government resources. This arrangement ensures maximum interaction and optimum use of the facility through almost 13 hours per day. In the first 6 months alone, since the Police and Citizens Youth Club began operating from its new premises on 29 May last year, membership numbers have increased from 220 to 1000.

On the Berrimah site, a further 23 accommodation units have been constructed for the housing of single members at a cost of $1.2m. This brings the number of single bedroom units on site to 45. Also, 18 self-contained units to accommodate visiting members attending training or similar courses have been completed and are in use.

Mr Speaker, I wish to mention briefly a number of other initiatives which are being planned. A commitment has been made to the construction of a new police and emergency service building on Groote Eylandt. This recognises, amongst other factors, the special problems associated with crime on Groote Eylandt and the need for a secure and well-supervised prison. It is to be built on the site of the existing police station although, in the process of design and documentation, we will naturally be assessing the most cost-effective method of developing this facility and looking at whether it is possible to use alternative sites to reduce costs. Further, a new cell block and secure yard are to be constructed in the near future at Elliott to replace the present inadequate demountable cells.

Turning now to fire stations, a new combined Darwin Fire Station and Northern Territory Fire Service complex in Illife Street is presently under construction at a projected cost of $4.1m. When completed, it will incorporate the latest in computerised fire alarm receiving equipment which will reduce the number of false alarm calls. This equipment will also provide a more effective monitoring service. Illife Street was chosen as a site for the new fire station complex so as to provide acceptable response times to incidents in both the Winnellie industrial area and the central business district. It is the major capital works item for the 1987-88 financial year.

As I stated earlier, this government recognises the growing needs of the Katherine area. In response to those needs, a contract is to be let shortly for a combined police, fire and emergency services facility to be built in Katherine at a cost of $3.5m. Construction of this building will bring the 3 services together in Katherine for the first time.

Too much emphasis cannot possibly be placed on the value of programs aimed at identifying the full potential of our youth and providing challenging, fulfilling activities and opportunities in their transition to adult life. Following the introduction of the community policing policy in 1984, a number of youth programs which are well known to all members have been developed.

The school-based policing program has expanded and constables are now situated in 13 of the 15 Territory high schools. Their role also includes servicing the feeder pre and primary schools. Although it is difficult in the short term to measure the success of the school-based constables' work, they continue to increase their acceptance with children, parents and teaching staff and we remain confident of positive, long-term results. As I pointed out while addressing the piloting of neighbourhood watch, other Australian police forces have shown considerable interest in our police-in-schools scheme, with the intention of introducing school-based policing in a modified form in their jurisdiction.

The Police and Citizens Youth Club continues to offer a wide range of activities to young people from its new premises within the Police Training Centre at Berrimah. As I pointed out earlier when discussing the new facilities at Berrimah, membership has grown dramatically and the sporting and recreational programs are well supported. Aboriginal introductory stock handlers' courses have been scheduled for the coming dry season to be conducted, as in the past, from the Wongabilla Pony Club. As members would recall, a youth diversion scheme was introduced in 1987 to provide delinquent youth with a positive work experience during their school holidays in cooperation with the Juvenile Justice Branch of Correctional Services. Young people on bail, probation or similar court orders are selected to participate in the program. Although still in the development stage, the youth diversion scheme has potential and is a step towards meaningful rehabilitation.

The junior police rangers scheme is entering its third year of operation. The scheme provides the opportunity for young people in year 8 of high school to receive training in public safety skills and their practical application. The young people are chosen for their leadership potential and it is anticipated that, in the long term, their influence will reach the broader community of youth. Over the last 2 years, disadvantaged young people have been selected for mid-year camping and personal development experiences under the direction of the junior police ranger staff. These camps are funded by private sponsorship and are designed to provide opportunities for young people to enjoy structured activities in a holiday atmosphere.

The police cadet scheme, designed to recruit school leavers, was reintroduced in January 1987 to provide an avenue for talented young Territorians to join the police force immediately upon leaving school. Eight young people joined the service in February 1987 and already 6 have passed their full adult recruit training and will be appointed as members on their 19th birthday. A further 12 young Territorians have commenced cadet training this month.

Rapidly changing economic and social values, the growth and globality of organised and sophisticated crime, increasingly liberal legislation and dramatic advances in information technology have all combined to provide police with their greatest challenge in history. Whilst police have responded with initiatives such as the police aides program, school-based policing and other community policing programs, much remains to be done. In our opinion, there is a need for the development of flexible strategies based on the principles of participative management which can only enhance police effectiveness in responding to the challenge of the 1990s and beyond. Policing by objectives is an integral part of this philosophy. It allows and indeed encourages every member of the force to participate in the development of dynamic, as opposed to static, objectives and strategies. The organisation should then gain maximum benefit from the expertise and experience of all members.

The starting point is the acceptance of the concept that command and divisional strategies should aim to maximise the efficiency of the corporate plan. We believe that there is a strong argument for suggesting that, whilst the objectives for each division within the command might properly be the same, the means of achieving them may vary remarkably. Planned strategies must conform to the overall corporate thinking yet they must be sufficiently specific to address the particular social and other issues relevant to the area in which they are to be implemented. The opportunity to participate in this development of goals and strategies will serve obviously to motivate members but it is imperative that change is evolutionary - not revolutionary - and that all of our police are properly educated in relation to the purpose and benefits of corporate and strategic planning.

The new initiatives I have addressed provide the vehicle by which these changes will be introduced. They will lead to even more effective policing and enable us to deal better with the incidence of crime and disorder in our community. I commend the new procedures and initiatives to honourable members. Mr Speaker, I move that the Assembly take note of the statement.

Mr SMITH (Opposition Leader): Mr Speaker, I wish to take up one particular matter referred to in the Chief Minister's statement. Members of the opposition will address other matters on another occasion.

It will be a cause of some relief to the people of Darwin that, after 5 years of struggle by myself and others, the government has agreed to introduce a trial neighbourhood watch program. It has taken 5 years for the Northern Territory government to realise what the people of Darwin and members of this opposition have known for so long. It is all very well for the Chief Minister and the Attorney-General to tell us, de sotto, that 99% of the program's elements are in place already. That is rubbish. The element that has been missing from all of this government's community policing programs is the people element. The Northern Territory government has never gone out and asked the ordinary person in the street to help it solve the community's policing problems. That is why neighbourhood watch has been successful down south. And that, of course, is why we in the Northern Territory are at long last about to take part in the program.

I find it very interesting that, after 5 years of vigorous government opposition to the neighbourhood watch program, the government is now proposing that the program be trialed in the Chief Minister's electorate and the electorate of the Minister for Industries and Development. That is a significant change of heart and I hope the people in those electorates benefit from it as I am sure they will. There is, however, an important point to be made here: the problem is not in Nightcliff or Stuart Park. It is in the northern suburbs. A close look at police statistics will show that that is where the major breaking and entry problems in this town are occurring. As the Chief Minister admitted by default, most break and enters and other invasions of homes in this town are not carried out by organised criminal gangs but by - to put it colloquially - our kids. As the kids grow up and move, the problem moves on to the next suburb with them. The program should be trialed somewhere in the northern suburbs where the incidence is worst. I would ask the government to reconsider its attitude on this. If the program is to be trialed fairly, it should be trialed in at least 1 of the northern suburbs and 1 of the inner suburbs such as Nightcliff or Stuart Park. It is important that the government pick up on that.

I conclude by saying that it has taken the government 5 years to catch up. I am pleased that it has. Certainly, the people of Darwin will be pleased

that the neighbourhood watch program will be introduced at long last. It is a pity that they have had to suffer for 5 years until the government came to its senses.

Mr TUXWORTH (Barkly): Mr Speaker, I welcome the Chief Minister's statement this morning on the initiatives and procedures being adopted by the police force. It gives me an opportunity to raise a couple of issues which I intended to raise in these sittings anyway. This is a most appropriate time to do that.

There are 3 things we can be sure of in life: we will all die, taxes will rise and the size of our police force will increase. There has been an enormous increase in the numbers of police in the Northern Territory since 1974 and this is continuing. I believe, and somebody can correct me if I am wrong, that we have twice as many policemen per capita as any state in Australia. If that is the case, it may well be time for us to stand back and ask what is happening in the Northern Territory which requires us to have twice as many police as everybody else. We need to have more police because of our population distribution and because there are special circumstances here but, when we have twice the per capita police numbers as elsewhere and are considering increasing those numbers if the coffers allow, perhaps it is time that we looked at some aspects of life here which have probably been ignored until now.

I do not know of any lazy policemen or of any uncooperative policemen. I know of many policemen who maintain that they work and work and never have a chance to take time off because there is so much for them to do. I also know many citizens who are really fed up with the fact that they cannot get a policeman when they want one or that police cannot attend to break and enters because they are not serious enough or the value of the goods stolen is not sufficient. We are now reaching the stage where we need to take a good hard look at what we are doing.

I would like to focus on the problems of juvenile theft, breaking and entering, truancy, and the misappropriation of goods by people who do not own them - for example, the bikes that children seem to latch on to from time to time.

Many people in the community are becoming bugged by the interference of young people in their lives, particularly in this area. They report to a police station that their bikes have been stolen and ask for help. The police tell them they are the ninety-ninth or hundredth person to have had a bike stolen to that week. They take notes of the report but say there is not much they can do. Whether the theft involves a video or a car, people feel that their particular concerns are not being attended to. I do not think that that is reasonable but I think the police receive so many reports that they do not know which way to turn. But, if you go out on the streets at night, Mr Speaker, you will find young kids wandering around in every town in the Territory at 1 and 2 o'clock in the morning. Ask them what they are doing and they will tell you that they are just 'having a good time'. If you ask them whether their parents know where they are, you are told that the parents are not at home.

Mr Speaker, I would like to express a point of view that will probably not endear me to many people, but I think it is time we moved in the Assembly to try to make parents a little more responsible for their progeny and for the retribution that needs to occur when their children do wrong things. In the case of theft and breaking and entering, most of the victims whom I have

spoken to are not interested in seeing kids charged, dragged through court and sent to jail or whatever. They know that kids play up. They simply want their property returned, the damage to the car paid for or the broken window fixed. They are not interested in all of the hassles involved in chasing kids and securing retribution but, in the present environment, the only way a citizen can obtain any satisfaction for damage that has been done to him or the loss he or she has incurred is to go through the full process of the law and lay charges against the child.

This morning, I am advancing a proposition that we ought to be looking at seriously. While it does not affect police numbers, it certainly affects the amount of work that they have on their plate and the workload of other people involved with welfare matters. Perhaps it is time that we stood back and said that children are not responsible until they are 17. They become wards of the state if they get into trouble before that age. Really, we ought to make somebody responsible. It is not the government's job to be responsible for every child that plays up whilst under that age and maybe it is time we put the acid on the parents. There is a whole range of ways of doing that and it is time that we started to look at a few of them and considered introducing legislation to make parents responsible.

Getting back to the area of retribution, it is not unreasonable - and all the people I have spoken to agree with this - that parents be asked to pay for the damage that their kids do and the loss they incur. If the parents want to go to the club, the pub or the races and let their kids run wild for the afternoon or the evening and disrupt other peoples lives, they should be made to pay the bills. Why should you or I, Mr Speaker, or any of the tens of thousands of people out there, have our lives disrupted because other people have no interest in taking charge of their own kids and seeing that they behave themselves? Perhaps this proposition would not make children behave and would not make parents take care of them, but at least it would give the victims of some of these activities an opportunity to recoup their losses.

Mr Speaker, I would like to touch on 2 other points that I think are relevant to this statement by the Chief Minister, and I will leave them with the government for it to think about. We have considerable manpower tied up in the bush taking prisoners from remote areas into the courts. We have even introduced a system of flying magistrates out into the bush to hear cases. The reality is that the system just does not work because of the workload and time involved. In all fairness, if I were a magistrate in the Northern Territory and the government told me to hop into a little Cessna 402 when the temperature stood at 140°F, to fly out to the middle of nowhere to dispense justice, I would give it a very clear signal. I would not blame any magistrate who gave a similar one.

We used to have a system of implementing justice in some of the remote areas through JPs in the local community. In places like Borroloola and Elliott, which are 2 that are important to me, it would be sensible to introduce a regular sitting of JPs every Monday morning to let people who wish to plead guilty come into court and do so. We ought to reintroduce that. It would clear a great deal of the work off the policemen's plate and also off the magistrates' plate. It would probably save tens of thousands of dollars worth of travel involved in the present system. What is occurring out there is unbelievable but it could be remedied quite simply if we cast our minds back a little.

The other matter concerns the Gold Squad. I have had my say on the Gold Squad in the Assembly before, and I think it is fascinating. I have lived on

or worked on goldmines most of my life, and the Gold Squad has only become fashionable in the last few years. What is going on in the goldmining industry where miners allow people to get their hands on a product like this? I went to a mine recently and visited the gold room. It could have been the CWA fair; it was wide open, with people walking in and out. If they have a gold theft, surprise, surprise! Of course they will have a gold theft; it is simply a matter of time.

I do not mind having a Gold Squad to round up the crooks who heist a train or a plane and walk away with $2m worth of gold bars, but the mining industry has a responsibility to tighten up the security on some of its leases if it is reasonably to ask for assistance from the taxpayer and the police force to catch these guys. There will always be ...

Mr Coulter: Who is paying for the Gold Squad?

Mr TUXWORTH: The industry is paying for it.

Mr Coulter: Right. Isn't that being responsible?

Mr TUXWORTH: If the industry were responsible, it would not need it. This is the first time in 70 years that the industry has not been able to take care of gold theft. What is going on out there?

Mr Coulter: More goldmining.

Mr TUXWORTH: More goldmining! It is nowhere near as rich as it used to be. At Noble's Nob in the early days, you could pick up rocks with streaks of gold down the centre as wide as your thumb.

Mr Coulter: That is when they used to steal it. You cannot see it now.

Mr TUXWORTH: Theft was not all that great in those days because the management was pretty tight. Mr Speaker, I can see what the Minister for Mines and Energy's problem is. He has never been out of Darwin. A couple of years on a goldmining lease would do him the world of good.

Mr Speaker, I raise those points in relation to the Chief Minister's statement because they are worthy of consideration, if not now at some later time, because some review must be undertaken of the way we continually increase the police force to the point where we now have twice as many police per capita as any state. That must be of concern to all of us. Certainly, we need to be moving to make parents more responsible for the actions of their children in the community which cause disruption to the lives of other people.

Mr LEO (Nhulunbuy): Mr Speaker, I will not take up too much of the House's time on this matter. No doubt, significant policy matters will be addressed by other members. There is a very parochial matter which concerns my electorate and I believe it may be of concern to other members from isolated seats. One of the larger communities in my electorate is Galiwinku, an Aboriginal community of approximately 2000 people. The population fluctuates but, on average, 2000 people live there. The island is policed by one police aide. His total resources in pursuing this task consist of a small motorbike. If he catches a wrongdoer, he cannot put him anywhere because there are no cells. Even if there were cells, there would be no way of taking the wrongdoer to them. How would it be done? By chaining him to the back of a motorbike and sneaking him along the road?

In terms of the resources allocated to people who are doing an extremely difficult job in extremely remote locations, the buck ultimately stops with the minister responsible. The resources allocated to those people who are doing an extremely difficult job under very trying circumstances are not even minimal. They come nowhere near allowing them to do their job. I am sure that all honourable members applaud the Chief Minister's comments in relation to the neighbourhood watch scheme and various enterprises which will be supported throughout wonderland or the northern suburbs, whichever you prefer to call it. I would have preferred to hear from the Chief Minister how he and his government intend to support people in remote locations who are trying their damnedest to perform a very difficult task.

We keep saying in this Northern Territory Legislative Assembly that there is not enough respect for the law and that there is a need for change. We keep saying that the principal offenders and the largest community within our prison system happen to be Aboriginal people. Meanwhile, an officer at Galiwinku is trying to do a job and it is physically impossible for him to do what he is required to do. I hope that the Chief Minister will tell us in reply that the government will make it a priority to support police aides in those isolated communities. I am sure that the member for Arafura, who was a police aide in those very difficult circumstances, can tell every member what it is like. After many years in those circumstances, those officers deserve the support of this government and this parliament.

Mr POOLE (Araluen): Mr Speaker, I rise to make some comments on the ministerial statement on new procedures and initiatives in the police, fire and emergency services portfolio. I want specifically to make some comments on the aspect of neighbourhood watch. I welcome the trial program announced by the Chief Minister and look forward to its expansion to Alice Springs. The program was launched in Victoria in March 1984 and a report in May 1985 indicated that burglaries had dropped ...

Mr Ede: Did you write this speech at lunchtime?

Mr POOLE: No, actually I wrote it over the weekend. Burglaries had dropped by 16% and, by 1986, it was claimed that they had dropped by 30%. Of course, this large percentage drop could be attributed to other factors such as changes to police patrols or a general awareness of crime, particularly burglary, because of media coverage etc.

It is worth while noting that the evaluation of schemes of this type brings to light some negative findings, such as the movement of criminals from one area to another that is not covered by the neighbourhood watch system, or away from housebreaking into other types of criminal activity. Police have a mixed response to these schemes. They are all labour intensive in terms of the investigation of public reports of criminal activity and the task of handling the numerous phone calls involved. There is an opportunity for some people to cause interference, what I call the nosy-neighbour syndrome, and some citizens even exact revenge on their neighbours by misreporting events. However, when considering a scheme such as this, I believe the advantages outweigh the disadvantages.

In Alice Springs alone, we suffer from a number of windows being broken in the Mall each day and the high insurance rates that result from vandalism of that kind. I have spoken in the Assembly before about the phone booths - or should I say pillboxes in Alice Springs, because that is what they are becoming with the glass being replaced with steel or aluminium mesh as a result of constant vandalism. Everyone in Alice Springs knows somebody who

has had a car stolen. In fact, more than 1 car is taken every day of the year but, thankfully, 90% of those vehicles are recovered. Apparently, most of those recovered are damaged, some of them quite extensively.

Mr Speaker, you cannot find a fence in Alice Springs that has not been spray painted or a blank wall that has not been subjected to the mindless thoughts of some minority group. Neighbourhood watch can help reduce these activities, particularly the burglarising of private houses, and we may avoid the problem of multi-million-dollar damage caused by arson in the schools in the southern states.

Last year, we had over 1000 cases of unlawful entry in the Alice Springs area. I have had some personal experience with bicycle thefts. In fact, my son had a bicycle stolen. While I was in Darwin during the last sittings, he recovered the bike after he spotted it in somebody's garden. Apparently, the children who had stolen the bike were responsible for the theft of more than 20 bicycles which had not been recovered and an additional 5 or 6 which were recovered. That is nearly $7000-worth of bicycles, all stolen by minors under the age of 12.

I noted the member for Barkly's comments about the introduction of some sort of scheme that would place financial responsibility back on parents to control their children. Of course, that is a commendable scheme but, if you investigate thefts by minors, you will find that the majority are committed by children whose parents are unemployed and who do not have the money to pay for the damage caused by their children. Problems have reached almost plague proportions in Alice Springs. Children, some as young as 5 or 6 years, but mostly around 10 years of age, are wandering around the town, running into business houses, stealing ladies' purses and wallets and pinching cash and goods from shops. Increased public awareness through a scheme such as neighbourhood watch could help alleviate some of the problems that these children are causing.

There are other advantages to the scheme, particularly where our community is divided, mainly as a result of apathy. Groups that are unknown to each other can become involved with the NT police and get to know each other better, leading to improved public relations. In some ways, this scheme is an extension of our community school policing program: crime prevention by interaction. In turn, police members can benefit through exposure to the average citizen rather than their more normal contact with offenders and this can lead to more constructive attitudes. Residents will experience positive results. Their worries about leaving their houses unattended will be reduced. Even politicians could benefit. If the scheme were successful, it might encourage some people to get rid of their savage dogs. Personally, I would love to see the member for Stuart's dog vanish because he attacks me successfully whenever I walk down the street.

In conclusion, I believe that the scheme will be very successful. I commend it to the House and I commend the Chief Minister's statement.

Mr SETTER (Jingili): Mr Speaker, the last few speakers have concentrated their comments on the neighbourhood watch scheme. I would like to speak in broad terms to the minister's statement because he covered a whole range of issues. Neighbourhood watch is just one of many initiatives that are being taken by this government and by the police force to address community concerns.

I believe that we have one of the best police forces in Australia. It has a proven record of excellent performance under very difficult conditions, including those which apply in the northern suburbs of Darwin. The member for Nhulunbuy has referred to that area as 'wonderland'. I am not sure how often he visits the northern suburbs of Darwin, but I can assure him that they are not a wonderland. Perhaps Nhulunbuy is more protected and the honourable member is not exposed to the complex human problems that occur in such urban areas. I would certainly recommend that he visit the area. We all know that there is only 1 Labor representative in the whole of the Darwin urban area - the Leader of the Opposition. At least he should know that the northern suburbs are no wonderland.

It is government policy to have a well-trained and efficient police force. We have been working towards that for quite a number of years, particularly since self-government. We have had some very good commissioners and we now have another in the person of Commissioner Mick Palmer. Nevertheless, it is true that any organisation needs to be restructured from time to time. So be it with the police force today. Now is the time to review what we have done in the past and to come up with an organisation that will address the needs of the future. I understand that a review has been undertaken and a number of proposals considered. The one that the Chief Minister presented to us earlier today is the one that has been accepted. For example, the police force has now been broken up into 3 commands: Northern Operations, Central and Southern Operations and Operation Support Command. Previously, Katherine was attached to the Darwin region and it is very interesting to hear that Katherine is now attached to the central region. With its large population, including its rural population, Darwin places great demands on the staffing levels that are available in the northern region. It is indeed appropriate that Katherine be attached to the central region where the staffing pressure is not quite as great.

The important aspect of this whole reorganisation is that the strategies that the police force adopt must be flexible enough to be able to cope with the needs of the various and varying communities throughout the Northern Territory, which represents about one-sixth of the total land mass of Australia. We have communities ranging from the northern suburbs of Darwin to Yuendumu and Lake Evella. Our police force has to be capable of addressing problems in urban areas, remote Aboriginal communities, remote mining communities and pastoral areas. The problems in each are totally different and the force needs to have flexibility. I am pleased to say that, in the past, our police force has been able to cope with those situations. I am quite sure that the strategy that has been put into place at the moment will enable it to address those issues even better than it has been able to in the past.

One of the important things relating to a police force is training. Without appropriate training, the whole organisation would fall apart. A training complex has been operating in the Northern Territory for some years. It used to be situated in Cavenagh Street and that operated extremely well. I am quite sure that the Minister for Health and Community Services and also the Attorney-General undertook that course. One can see the quality of person that results from that training. The training is even better today. My apologies, the member for Arafura also spent some time in that police training establishment and I understand from the honourable member that he and my son were in the same course together some years ago. It is an interesting anecdote.

Mr Ede: I'm wildly excited.

Mr SETTER: I am pleased because it takes an awful lot to wildly excite you, it really does. But Mr Speaker ...

Mr Hatton: The only thing that excites him is his own verbal masturbation.

Mr SETTER: Mr Speaker, another new initiative is the development of a prosecutors' training course. That is very important because police prosecutors have to stand up in the courts and pit their skills against those of some well-trained and excellent solicitors, QCs and attorneys - people who have had many years of professional training.

Mr EDE: A point of order, Mr Speaker! The Chief Minister made a highly improper remark in interjection a couple of moments ago. I ask you to direct him to withdraw it.

Mr SPEAKER: I would ask the Chief Minister to withdraw.

Mr HATTON: Mr Speaker, I withdraw the remark unreservedly. Obviously, it was totally offensive to the opposition member and embarrassing to him.

Mr SETTER: Mr Speaker, I was talking about training programs and I referred to the prosecutors' training course and the need for police prosecutors to have skills on a par with those of members of the legal fraternity with whom they will compete when arguing a case. Also, training programs are to be introduced for middle management, and anybody who has had experience in management would know how important that is. We need to train our personnel at all levels of the system. We need to train the people in middle management as well as the recruits; these are the people who prop up the hierarchy. There is also a suggestion that we should develop a mobile training scheme. I know that, in the past, it has been the practice to bring police from various parts of the Territory to the Darwin training centre to undertake refresher courses, and I would assume that this mobile training team would target such people by that means. Instead of bringing a group of people to Darwin, a group could be taken to Tennant Creek or Alice Springs or perhaps even Nhulunbuy. I am quite sure that, if that goes ahead, it will be a very worthwhile innovation.

In 1984, the police force introduced the community policing scheme. I will use Darwin as an example because I know it better than any other place. In Darwin, the city was divided into several regions. There was Darwin city, the Nightcliff-Rapid Creek area and the Casuarina area. The concept was to ensure that the same group of police officers stayed in a particular area. In other words, there were 3 shifts per day and those people were only in that region, and that was very good because it enabled them to identify with the needs, problems and the concerns of the region. Previously, police officers roved all over Darwin and down as far as Humpty Doo. By targeting a particular area, the police could determine who the mischief-makers were, who organised the gangs, who the identities and leaders were and where the haunts of these young people were. I refer to 'young people' because the majority of break-ins are carried out by young people.

When I was first elected in the Jingili by-election in 1984, one of the issues that was raised with me most consistently was that of break and enters. Almost every second house had been broken into in the previous 12 months or so. The last time I doorknocked that area, before the last election, very few people lodged that same complaint. It may well be that people have spent considerable sums of money on security doors and window screens.

Nevertheless, there was a considerable improvement in the incidence of that particular complaint.

Another initiative is the school-based constable. School-based constables were first introduced 3 or 4 years ago. Constable Scott Mitchell was the first such constable and he was based at the then Casuarina High School, now the Casuarina Secondary College. We now have 13 constables appointed to 13 schools and we have only 15 secondary schools of any note in the Northern Territory. That scheme has worked extremely well. Constable Mitchell was recently in the United States researching drug and alcohol abuse. I understand that, since his return, he has prepared a report which is being considered. He has done an excellent job.

We have the safe house scheme which was introduced in a couple of suburbs in my electorate, the first 2 years ago and the second only last year. The junior police rangers scheme is in its third year of operation. Many young people have been involved in that particular program. The Police and Citizens Youth Club is another excellent project. Other initiatives include Operation NOAH; Operation ID, a scheme under which drivers' licence numbers are etched on various items of property; and Blue Light Discos. We have installed the mall shopfront, establishing a necessary police presence right in the Smith Street Mall. We have also been involved in extensive community education. The strategies outlined in the Chief Minister's statement will be put into place and will be worked through to the community's advantage.

The Leader of the Opposition claimed that he first raised the neighbourhood watch issue 5 years ago. I am led to believe that he first raised the matter with the Chief Minister of the day on 9 April 1984.

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

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, as my opening remark, dare I say: 'Ho, hum, here we go again!' We have a new broom and a new Commissioner of Police, sweeping clean. Do not get me wrong, Mr Speaker. I have a very high regard for the new commissioner and for the honesty and integrity of the police force. However, no doubt the Chief Minister asked for this statement from the new commissioner, knowing pretty well that it would be all good news - which it is. This government really needs good news to help its pretty dicky standing in the community.

Mr Speaker, this statement does not really say much but it takes 27 pages to say it. The content is not wholly unexpected given that there is a new Commissioner of Police with new ideas and new concepts for the internal reorganisation of the force. This statement seems to be the first of its kind in the new-look news efforts that have been publicised as a course of action by the Chief Minister. He really needs good-news statements.

It is probably beneficial to reorganise the police force to take into account the changing needs of the community in respect of law and order but that must not be an end in itself. The proof of the pudding is in the eating. We really should not be debating this statement now; we should debate it in 12 months time to see whether the initiatives have been successful or not. All our remarks today could be considered to be premature. The bottom line in the statement, forgetting about the restructuring, the new organisational framework and the new corporate philosophy, is whether the crime rate will decrease, whether the fight against crime will be more effective and whether the rate of apprehending criminals will be increased. These results are what the public wants to see.

It is very important in any work force that the workers obtain job satisfaction and, if the new organisational framework allows for the greater development of the talents of police force members, that is the way to go. It is good to see professionalism being introduced through the first prosecutors' training course. There seems little point in the police, backed by their forensic resources, running themselves ragged to bring in the villains if the prosecution of these villains lacks the well-presented thrust of a professional approach.

In relation to the implementation of a neighbourhood watch program, credit must be given where it is due. I do not often praise the ALP, but I believe it began to call for the introduction of this program some years ago. I could never see why the idea was not taken up by the government because it makes sense to me. It is an approach that I have advocated to the people in the rural area because of the problem of pilfering from blocks. I did not call it a neighbourhood watch; it is plain common sense for people to look after their own blocks and to keep an eye out for other people's interests as well. The neighbourhood watch makes sense to me.

Mr Dale: It is your neighbour who knocks off your gear down there.

Mrs PADGHAM-PURICH: Mr Deputy Speaker, I do wish those ex-coppers would speak in the debate instead of interrupting all the time.

The community police education program in schools has worked very well. There is only one high school in the rural area, Taminmin High School. Past and present principals speak very highly of the community education scheme that is run by the police there.

There is a point in the statement that I would like to take up: 'There is the danger of a neighbourhood watch committee identifying offenders by race, and publicly commenting on this'. If somebody has committed a crime, I cannot see anything wrong with that person being identified in any way that will bring him to the notice of the police, whether it is by the colour of the person's skin, race, size or whatever. I cannot see why it matters a tinker's cuss whether the person is Chinese, Italian or Aboriginal. In the catching of criminals, all personal characteristics are useful to the public in order to help the police. Why is there this coyness about mentioning race? In the section of the statement relating to research and development, it is all right to mention ethnic and racial groups. That section says: 'To provide an example of such a unit, an initial task will be to formulate a positive recruitment program to attract members from minority ethnic and racial groups'. I do not have any argument with that but, if it is good enough to raise the matter of a person's ethnicity and racial origin in that context, it should be good enough to raise it if he is a villain.

Mr Hatton: Hear, hear!

Mrs PADGHAM-PURICH: Well, do something about it, Chief Minister.

Mr Deputy Speaker, when the government has spent literally millions of dollars to build the police complex, I find it rather strange that the 2 members of the Gold Squad are to be housed in another building. It does not make sense. It is all right to say that they will work with the industry and the Chamber of Mines, but surely it makes more sense for them to have offices at police headquarters where the forensic backup is located. Taking that idea to its logical conclusion - and if the Stock Squad is still in existence which I doubt, but it could be - we would have the Stock Squad officers working

somewhere else. Each specialised unit would be working in a different place and nobody would be working in police headquarters in the end.

Mr Poole: Where would the Vice Squad work?

Mrs PADGHAM-PURICH: The Vice Squad would be working somewhere else too.

Mr Deputy Speaker, I understand that the fingerprint system used by the Northern Territory Police Force is very advanced and has a very good record of achievement. It is in the forefront of this field in Australia and it has considerable success to its credit.

Generally, relations between the Northern Territory Police Force and the community are pretty good. I always believe in judging as I find and I have always had a pretty good response when I have requested help from members of the police force in my area.

With regard to the fire service, I would like to be assured by the Chief Minister that the senior personnel of the service will be responsive to the needs of the volunteer fire brigades. The volunteer fire brigades, and there are some in my electorate, do not want handouts. They want cooperative, professional help, mainly in kind, at least to a standard equivalent to that extended by the Bushfire Council to its volunteer bushfire brigades. The volunteer brigades are comprised literally of volunteers who give up a great deal of their free time to train as well as to fight fires. I believe they deserve all the official help they can get.

The Chief Minister did not mention too much about emergency services in his statement. No doubt, that will be the subject of the next gripping instalment.

In conclusion, I would like to say that I have no argument with the statement. I support the remarks the Chief Minister made in presenting this statement to the House. It is a good-news report and I tender my congratulations to the new Police Commissioner in putting it forward through the mouth of the Chief Minister. I await eagerly the next good-news report from the Chief Minister.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I welcome the paper from the Chief Minister. Law and order is an issue which the community is very concerned about. The theft of property and the breaking and entering of homes are high on the list of concerns. I note there are a number of things happening. In the Alice Springs community, people and groups are making an effort to try to reduce the problem of theft and I commend the bike numbering system that has been implemented. Members of Apex and Lions Clubs have invited people to have identification symbols stamped on the frames of their bikes so that they can be recorded. If a bike is stolen, that helps with identification which can otherwise be quite a difficult problem. In the early days of my teaching career, I well remember the BMX bikes coming onto the market. These would be stolen and some parts would be found in one place and others in another. The parts had been subjected to a horrible paint job in an effort to disguise that they had been stolen. Parents must have been aware that their kids were playing funnies with these bikes. It always concerned me that the parents were not smart enough to recognise that it was not good for their kids to get away with it. It might seem rough to expect the parents to report them, but covering up for them only encourages them to adopt a life of crime.

The member for Barkly raised a matter which has been discussed many times over the years. I am sure every member has heard the suggestion that parents should be held legally responsible for the actions of their children and, if their children commit a crime which damages either public or private property, then the parents should pay. It was suggested by the member for Araluen that an investigation would indicate that many of the parents of problem children were unemployed and would not be able to pay. The logic of his argument basically was that, if some could not pay, then nobody should pay. I think that logic needs to be examined.

Mrs Padgham-Purich: Community services orders could be used.

Mr COLLINS: Yes, I will take up that point from the member for Koolpinyah. If they cannot afford to pay in cash, then they should work under community service orders and the child should be involved in that too.

The neighbourhood watch scheme was mentioned here some years ago and now it is to be trialed in Darwin. I am sure all members will follow that with considerable interest to see whether it can be made effective and whether it can be expanded to the wider community. I welcome the introduction of the scheme and will follow its progress with interest.

The member for Araluen mentioned something that I intended to mention, namely the spate of Fagan-like thieving that has occurred in Alice Springs, particularly over the last 4 or 5 months. It seems that it is being undertaken by quite organised gangs. When my secretary is away at lunch, I have found it necessary to lock my office door and leave a note asking people to knock. The reason is that 2 or 3 kids, as young as 5 years, hang around the building where my office is. If they see that nobody is around and the door will open, they come in. On the first occasion, they tried to pinch the Lions' peppermint dispenser and the money in it. On the second occasion, they went through the drawers behind my secretary's desk and, on the third occasion, they went through some bags of books which my daughter had left, obviously trying to find some money. Those are minor incidents.

People from the Econorent company in the office next to mine lost a couple of hundred dollars to half a dozen kids. Some of them distracted the sole occupant while others grabbed the money. They were not content with that. Foolishly, an Econorent staff member failed to lock the office when slipping out to get a car for a customer and a cash box containing $1000 was taken. It seemed that these activities had been well-organised and that the Econorent office was well cased. The children involved are generally very young but they have been very effective. Fortunately, the word has gone around and people are much more careful with money. That might nip the problem in the bud but some large sums of money have been stolen and I would love to know whether somebody was organising the thefts.

Last week, I used the media to raise an idea which I have long considered worth while: that all police officers should be truancy officers and be empowered to question kids who are not at school during school hours and, if they are not satisfied with the answers given, that they be empowered to take children to school and possibly get in touch with parents, particularly if the same child has been picked up repeatedly. The thing that appeals to me about this idea is the fact that the police are in uniform and identified as police officers, thus offering a degree of protection for the children. Unfortunately, there are people in our community who molest children and children must be protected from them. Having uniformed police officers carrying out this work would be advantageous because I believe that prevention is better than cure.

Much of the house breaking, bike stealing etc, actually occurs while the majority of children are at school and while parents are at work. When the kids return home from school, it is much harder for truants or criminals to break in. The critical time, therefore, is during school hours. In my 18 years in Alice Springs, particularly when I was teaching, I remember many occasions when police officers told me about housebreaking investigations in which the culprits were identified and, as a result of a watertight case put to the court, found guilty but then let off on a good behaviour bond. I have been told by police officers, who had gone to considerable trouble to make a case stick, that the culprits would give them the 2-fingered gesture outside the court. That was the officers' reward for their trouble, a pretty soul-destroying one after all the legal procedures. It is understandable that the police are far from happy with such a result. That is why I believe that it would be very useful to empower police officers to question suspected truants.

I give full credit to one particular officer. In November last year, my daughter told me that she had left school to keep an appointment for which she had a note. She said that a police officer stopped her and asked why she was out of school. I do not mind that at all; I welcome it. That policeman cared enough to take the trouble and, whoever he was, I say thanks to him. If that were done consistently, I believe the problem of truancy would be reduced.

However, this is not simply a police job. I sympathise with the police. After I had my little say on the radio concerning police officers acting as truancy officers, the assistant commissioner replied that he felt the police were too busy to be bothered with truancy and that it is not a crime. That amazes many people whose houses have been broken into. A number of such people have told me that, when they have been to the police, the police have told them that they cannot sit there and watch kids who might be casing out a joint. Some kids are pretty expert at spending days working out when people come and go, how to enter a place, where the dog is and so forth. The police have said that they cannot sit and wait for something to happen because that is a waste of time. Further, they cannot act until a crime is committed. Many people in the community are rather surprised at that. Many of them remember that, when they were younger and stepped out of line or looked like doing so, they received a swift kick from the local sergeant for their troubles. It was a rough and ready form of justice but it was pretty effective.

If police were empowered to be truancy officers during the critical time when nobody is at home in many houses, much crime could be prevented and heartache avoided. It would also avoid the situation whereby the police solve crimes only to see the courts mete out punishments which, in their view and in the view of many in the community, are anything but efficient, effective or satisfactory. The assistant commissioner in Alice Springs argued that truancy was a responsibility for parents and I certainly believe they have a key role to play. However, I have 3 kids and I cannot be in 3 places at once. I also have a job to do. At the same time, if I happen to see a kid roaming about in school time, why shouldn't I chat to him and ask why he isn't at school? It would put a bit of pressure on him. I will put it on your kid, you put it on mine and we will try to crack the problem.

The school staff and the students themselves should also be involved. The students are affected by truancy even if they are not truants themselves. When a kid who has been away for 4 days or a week returns to school, the teacher has to try to help him catch up and that is time that he cannot spend with kids who are doing the right thing. It drags the whole education system

down. A sensible student should be encouraged to let the staff of the school know that certain kids are wagging school and put the acid on them to attend school. It is a community problem. The police can play a key role but every citizen should play his part. If we can get the truancy numbers down in our community, it will make it hard for truants because they will stand out in an adult crowd.

Parents from the bush do not always value education as highly as I would like to think they should. Perhaps their circumstances are difficult. I think the Aboriginal community is possibly better organised in terms of the extended family than the European population. Parents should make every effort to keep their kids at school because most people agree that therein lies the potential salvation of our society.

Mr Speaker, I welcome the Chief Minister's statement and look forward to seeing how things will pan out. I think that each one of us should be promoting the idea in the community that there must be a total effort, not merely an effort by the police or any particular group. If all of us realise the problem and are prepared to work on it together, we can nip this problem in the bud and greatly reduce the incidence of crime and allied problems in our community.

Mr BELL (MacDonnell): Mr Speaker, it was not my intention to contribute to the debate ...

Mr Coulter: Then sit down.

Mr BELL: Goodness me, we are in for a fine 2 weeks.

Mr Speaker, I had not intended to speak to this statement until I heard some comments from other honourable members and particularly since I became aware earlier today of the Chief Minister's intention with respect to the Police Administration Amendment Bill. Without breaching standing orders, I think it is appropriate, given the broad-brush comments made by some other honourable members, that I place on record my concern in this regard, lest comments I make at some stage later in the sittings be interpreted as being in any way negative with respect to the operations of the Northern Territory Police Force. During my 7 years in the Legislative Assembly, I have had many dealings on a large number of matters with numerous police officers from the Commissioner of Police down. I wish to place on record now my sincere appreciation of the efforts of all those people.

I was a schoolteacher at an earlier stage in my life and, by and large, I think schoolteachers work hard and do a good job. However, my attention has been drawn to schoolteachers whose behaviour I abhor. I do not think it is appropriate that I give examples here. However, I think pretty much the same applies with the police force. I can think of 2 particular examples, one of which I addressed in debate in the Assembly several years ago and one of which I have no intention of referring to but which occurred relatively recently and has been dealt with by appropriate disciplinary measures within the police force.

Basically, that is the point I wish to make. I do not think the public is generally aware of the tight discipline that is employed within the police force. It is not Australia-wide, I hasten to add, Mr Speaker. We need go no further that the state of Queensland to see that it is not general. Nevertheless, we have a well-disciplined force in the Northern Territory and I believe it is appropriate for me to make that comment at this stage. As I

say, I would hate whatever comments I may make in respect of the Police Administration Amendment Bill, either later today or later in these sittings, to be interpreted as anything other than confidence in the police force.

Mr HATTON (Chief Minister): Mr Speaker, I thank honourable members for their contributions to this debate. I think it is worth noting the comments of the member for MacDonnell. It is true that our police force not only has a very high reputation but, collectively and organisationally, it works very hard to protect and enhance that reputation and it is also true that it has a very tight and effective disciplinary system. I might say that it is so tight that there are quite a number of occasions when members of the force feel that they are more often on trial than the people before the courts. Far too often, in relation to frivolous and malicious complaints that are laid against police, the level of investigation undertaken drives the police to distraction. Nonetheless, that sort of rigorous attention in following up complaints against police ensures that there is no malpractice within the police force and reinforces the social mores of our police who work very hard to protect the honesty and integrity of the force as a whole. More often than not, if somebody within their ranks shows even a sign of developing into what could be described as a bad egg, other force members often remove those people through moral persuasion or otherwise to ensure that the reputation of the force is maintained. I would like to endorse the comments of the member for MacDonnell in that regard.

I agree with the member for Sadadeen that it is particularly frustrating for our police to go to extensive efforts and then see what is becoming regarded by the community, I believe, as an increasing leniency by the judicial process which is eroding the deterrent effect, particularly in respect of juveniles. The community will have to come to grips with this because, undoubtedly, it is an increasing problem.

I was interested in comments about the possibility of police having responsibility as truancy officers and I would be interested to follow that through further myself. I will look at that.

The member for Koolpinyah described this report as 'ho, hum, more good news'. I am pleased to think that good news is becoming so boring; that must be because it is coming so frequently. Nonetheless, I would remind the honourable member of standing order 258 of this Assembly which refers to ministerial statements. It says that a minister may make a statement on government policy or on a government decision or on government actions or on proposed government action at any time when there is no question before the Assembly. That is exactly what this particular statement is about. There have been changes in the organisational structure of the police force and it is appropriate that the responsible minister should inform the Assembly and, through the Assembly, the community generally, of the directions and developments occurring within an important community infrastructure such as the police force. I will never apologise, nor will my ministers, for outlining, for the benefit of the community, the direction in which the government is heading in respect of matters for which we have responsibilities.

In respect of the Gold Squad, I would say to the member for Koolpinyah that, on face value, when the proposals were first brought to us, it was my view and intention that the squad's members would be incorporated within the general police complex. However, having reviewed closely the workings and operations of the Gold Squad in Western Australia, and following consultation with the industry, I realised that it was not merely a matter of investigating

who stole gold from a mine. Far more detailed work is involved and the squad is required to work very closely with the industry to overcome the potential for theft by improving security. The squad was removed from the complex so that its members would be dedicated 100% to the goldmining industry and not involved in any other police duties. In fact, they will be located separately to work specifically on that program. When the workload rises, I can assure the honourable member that the temptation would be almost overwhelming to divert those resources to a particular case at a particular time, and that would undermine the whole purpose of the Gold Squad. There is significant funding coming from the goldmining industry to finance this particular initiative.

I do not accept that this report says little; it says a great deal. However, I would suggest to the member for Koolpinyah that, if she reads the report 2 or 3 times, each time she will find something new in there. It is a total package of the direction that the police force is taking. The statement does not say merely that we are introducing a neighbourhood watch system. What we are doing is extending community involvement one step further. Police should not exist only to apprehend people who commit crimes. It is far more important, if possible, to prevent crimes occurring and to discourage and divert potentially antisocial behaviour into more positive social behaviour. The aim should be a reduction in the incidence of crime rather than merely, and I use the word advisedly, an improvement in the scoring rate in terms of apprehending people who have committed crimes. Both elements are very important in the workings of the police, and this statement addresses that in a very comprehensive way.

As the member for Barkly said, we do have a very high ratio of police to population. In fact, in the Northern Territory, we have 1 officer per 280 or 300 people as compared with the Australian average of 1 officer per 450 or 500 people. That is a function of our small population size, vast geographic area and a very dispersed population. I do not apologise for that. There are more and more demands for policing in this vast and sparsely-populated Northern Territory. I am sure that the member for Barkly would recognise the diseconomies of scale which need to be considered in this government operation. I took the opportunity over lunch to compare the figures for his electorate with those for the rest of the Territory. He may be interested to know that, in his electorate of Barkly, there is 1 police officer per 194 or 200 people and that is a significantly higher proportion of police to population than the Northern Territory average. I do not apologise for that. It is appropriate because it is a vast and sparsely-populated area and there are small police stations at Elliott, Borroloola, Avon Downs, Warrego and, of course, the major station at Tennant Creek. These are providing an effective service although the police must cover vast distances in seeking to carry out their functions.

I have had the opportunity in recent weeks of being briefed by the police in Nhulunbuy about difficulties being experienced at Elcho Island. I am well aware of them and have raised the matter with the Commissioner of Police. We are seeking to identify appropriate courses of action to address those problems as a matter of priority. I accept that the present situation is very unsatisfactory and I give the member for Nhulunbuy the assurance that we are addressing the problem. I am sure that the member for Arnhem, who has raised this issue in the past, will be equally interested when he wakes up and realises what I am talking about it.

Unfortunately, I must be far less positive about other comments made today by members opposite. I expected that the Leader of the Opposition would

welcome this report. We anticipated the opposition's usual catchcry that the government had finally adopted its idea. We are used to that, despite the fact that we have been steadily introducing and developing community policing for years. This statement outlines clearly the gradual development of the community policing profile towards neighbourhood watch. Despite the fact that we have been analysing interstate developments for some time, we anticipated that response from Mr Knock-Knock. However, he could not leave it at that. He had to look for something to criticise. That is his one thought in life. What did he come up with? He does not like the choice of neighbourhoods for the trialing of the scheme. He had to find something to criticise so he told us that we should have chosen other areas in which to trial the scheme. What nonsense, Mr Speaker!

Mr Smith: Why don't you trial it in the appropriate areas?

Mr HATTON: If the Leader of the Opposition reads the report and the advice that was received from the police in respect of this matter, he will recognise why they have proposed this area. If the initial program is effective and can be tailored to the circumstances of the Northern Territory, obviously it will be extended to other areas, including places like Alice Springs which also have quite serious difficulties. It is ludicrous for him to sit there and say that he does not think that those are the appropriate areas to pick.

Motion agreed to; statement noted.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Social and Economic Needs of the Katherine Community

Mr SPEAKER: Honourable members, I have received the following letter from the Leader of the Opposition:

Dear Mr Speaker,

Pursuant to standing order No 94, I propose for discussion, as a definite matter of public importance, the following matter: the government's cynical disregard of the social and economic needs of the Katherine community.

Yours sincerely
Terry Smith
Leader of the Opposition.

Is the proposed discussion supported? It is supported.

Mr SMITH (Opposition Leader): Mr Speaker, last week, this government's cynical indifference to the welfare and economic security of the people of the Territory was laid bare in the simplest and most straightforward terms in the government's response to a small document entitled: 'Who Speaks for Katherine?' I have a photocopy of it here and I point out 2 things at this stage. Firstly, the words 'September 1987' appear on the front page. Secondly, on page 3, the document is signed by the Chairperson of the Katherine Social Planning Committee. The relevance of those 2 things will become apparent shortly. This document is the product of 17 months of expert and detailed examination of the social and economic status of the Territory's third-largest community. The report's main findings are simply stated. According to the report, 33% of the population of Katherine lives below the poverty line and 33% of its population suffers in some way from the effects of alcohol abuse.

Mr Speaker, problems on this scale are easily described but they are not so easily contained. The problems of Katherine are not confined to those identified in the report because, when a third of a township has a problem, the whole township has a problem. The problems of Katherine, of course, are not confined to those listed in the report. On the same day as these findings where published in the Katherine Times, the Katherine Advertiser published a survey of business activity. The headline in that paper summed it up: 'Town's Businesses in Bad Shape'. The accompanying report revealed that large businesses were going under in the town at a rate of 2 per month. Twelve were said to have collapsed in the last 6 months and many more are struggling to survive. It would be very easy to lay the blame for all of this on the township itself. That would be very easy and very wrong because, ultimately, there is only one authority to blame: the authority which carries the responsibility for providing health and social services, the authority which is responsible for planning and the authority which is responsible for fostering sound and sustainable economic growth. That authority, Mr Speaker, is the Northern Territory government.

The member for MacDonnell will place on the record of this House the full indictment contained in the report. In the remainder of my address, I will not be asking 'who?', I will be asking 'why?' Why is Katherine labouring under this immense burden of economic and social problems? Why has a town with so much promise been so roundly betrayed by this government? These 2 questions have only 2 possible answers: firstly, the failure of the government to plan for the future and, secondly, the failure of the government to act when the consequences of that failure results in victims. Unfortunately, these twin failures comprise the chief characteristic of CLP management in the Territory. They are found in every town and in every community but, in Katherine, they have been fatally and finally exposed. What happened in Katherine was not the result of a lack of time - the government had plenty of that - nor of a lack of warning. The warning signs had been there for years. It was not for want of information either because the government's own advisers had compiled the information, once again, over a period of years. What the people of Katherine wanted was a genuine commitment by the government, and that is precisely what they did not get.

This do-nothing government and its do-nothing minister for health and community disservices have not only ignored Katherine's problems but unfortunately, have also compounded them. When the Tindal RAAF Base was on the drawing board 4 years ago, this government gave every assurance in this Assembly that all would be well. This government is expert at giving assurances and it was at its very best in relation to Tindal. It assured the Commonwealth that all the necessary infrastructure would be in place long before the base became operational. It assured the people of Katherine that their town would see the dawn of a new era of health and prosperity. What were those assurances worth? This report 'Who Speaks for Katherine?' gives the unfortunate answer: absolutely nothing!

The report states that Katherine does not even have the resources to meet its needs now and makes it clear that it is totally unprepared for what is to come when Tindal opens towards the end of this year. The government's policy of fanfare, the inevitable fresh announcement to paper over the faded and tattered announcement of the week before, has to come to an end sooner or later. Katherine's problems will not be swept away by rushing down a few reinforcements and throwing up a few facilities. The people of Katherine are beginning to realise that the end of their problems and the end of this government are synchronised.

The most contemptible aspect of this contemptible record was revealed last week by the Northern Territory's answer to Les Patterson, the minister for health and community disservices, the father of this report. Even now, he has the gall to boast of his paternity. He says it was one of his first initiatives when he took over the portfolio in 1986. He established and funded the Katherine social planning project. The aim was to identify the town's needs and problem areas and to plan for its orderly development in the 3 to 5 years that lay ahead. It was one of the bigger announcements of the year and it was made all the bolder by the fact that his predecessor had declined to make it. No doubt that was because Katherine's problems were no secret even then. The former minister would have seen very few advantages in getting to know them better and, of course, we all know what he thinks about the ordinary person. But the new minister, to give him credit, wanted them quantified. To ensure that the job was done properly, a committee was established and consultants were duly appointed. No fewer than 6 government departments, including the Chief Minister's own department, were given seats on the committee, as was the local CLP member, who also has a great deal to answer for in this particular matter.

As I have said, the report is not a bulky document. The chairman of the committee stated in his preface that this was entirely intentional. He points out that the report is qualitative rather than quantitative, an approach adopted in order to quickly identify the issues at hand. He says: 'To reflect the urgency of the project, the report has been deliberately kept compact and hence readable'. That was in September 1987 and, by then, it was a very urgent project. Remember, Mr Speaker, that the report was commissioned in early 1986 and, late in 1987, it had just been delivered.

What was the minister's response 5 months later, after the matter had become public through the ABC? He called for the report - 5 months after it had been presented! He said he had not read it and his explanation for this inexcusable delay was that he was waiting for his copy to arrive. I want to know why had he not seen it before when we know now that the secretary of his department had a copy in October and that there were at least 6 interim reports - that no doubt are sitting on his desk now - which were made available to officers of his own department. If he were on top of his own department, those should have been made available to him. It would be very interesting to know if he saw any of those interim reports. It would be useful if he would answer that particular question as well.

Mr Speaker, as I said in October, the secretary of his department had a copy of the report given to him in Katherine.

Mr Dale: You are wrong, Terry.

Mr SMITH: It may be, Mr Speaker, that the minister is merely incompetent, and there is certainly enough evidence around to support that proposition. It may be that he forgot all about the report and the problems of Katherine. Unfortunately, there is a far more compelling explanation: he did not want to know and, having fathered the report, he wanted to turn his back on it. The refusal to recognise failures has become instinctive with both this minister and the government. That is why the struggling businesses of Katherine are going to the wall and why the working men and women of the town are caught in a tightening trap of unemployment.

One of the saddest aspects of the report on Katherine business activity is the number of comments which indicate the community is beginning to accuse itself for its problems. Let me quote the words of a local accountant who was

trying to keep his clients' heads above water: 'Retail floor space has almost doubled in the last 12 months, so we have double the amount of outlets supplying the same number of people'. Mr Speaker, who is responsible for the orderly planning of development in the Northern Territory? The government is.

Another Katherine businessman pointed out that the town had expected Tindal to be its be-all and end-all. He said: 'It was going to make us a wealthy town to be envied by the rest of Australia. Unfortunately, it has not turned out that way'. Who was responsible for providing the realistic economic projections that could place guiding restraints on commercial growth? The Northern Territory government. Business people in Katherine, Darwin, Alice Springs, Tennant Creek and other towns throughout the Territory are familiar with that problem just as the poor, the unemployed and the disadvantaged will find the contents of the report familiar. For that reason, public servants, social workers, doctors, teachers and everyone else engaged in the welfare of the community will find the report predictable reading.

Who Speaks for Katherine? In fact, who speaks for the entire Northern Territory? What makes this official government report almost unique is that the 1 group for whom it does not speak is the government itself. It is not a political document. It sets out the facts and the facts indicate a lack of planning, a rent and house price squeeze, inadequate public transport, unemployment among young people, Aboriginals and untrained women, exhausted welfare services and a shortage of health services.

Reading it, one realises that we all live in a town like Katherine. Our problems may not be so bad but they are the same kind. Katherine is different because, at this stage, Katherine is visible. Politically, this government's ability to become invisible when things go bad is very useful. We heard it again from the Attorney-General who has developed a habit of blaming Canberra when everything goes bad. He was doing it earlier when I was speaking. 'Blame Canberra', he says, 'it is not our fault'. We have a report here which puts the lie to that shabby sideshow act. We have the hard data, the clear perspective and the plain truth - it is all there in one report. Despite the government's efforts, that report will not go away. It sheets the blame home where it should lie and that is at the feet of the Northern Territory government and the do-nothing minister who cannot do any better than ape somebody who is speaking. That is the limit of his intelligent debate. This report lies at the feet of the do-nothing minister opposite. The minister is stuck with it and it will not go away.

Mr Speaker, let us not hear the same, tired blustering from the minister when he rises to respond. Let the honourable minister not trot out the same litany of handouts to the people of Katherine - a health worker here, a new office there - and, whatever he does, let him not try to shoot the messenger because it is his messenger who is giving him this message. It is not myself or the ABC: it is his committee which is giving him this message. It is time that he took notice of what that committee has to say. The message is for him and for him alone. The message is this: 'Get off your backside and come up with a program that is big enough to match the problems and implement it. Just for once, try to act like a minister in the government and, just for once, try to get your colleagues to act like ministers in the government. Just for once do not live up to all our expectations, and do not live up to the expectations of the people in Katherine'.

This is a job for everyone on the government front benches. It is not something to be left to 1 minister and it is certainly not something to be left in the hands of this particular minister who has shown that he is not

prepared to do anything about this particular report. His absurd and rambling evasions that followed the unplanned release of the report at once confirmed his responsibility and his lack of it. The minister insists that he was not aware of the contents of the report until some days ago, but we are under no obligation to accept his response to that report. Despite the fact that it is 5 months since the report was delivered - and if he was on top of the job, he would have known about it 5 months ago - he has declared that he will not be rushed - wait for it - into a knee-jerk reaction. Five months later, he will not be rushed into a knee-jerk reaction!

The member has developed a very handy lead in the amazing political statements of the year stakes. In this context, that statement is truly bizarre, but it gets worse. He is not going to have a knee-jerk reaction and, therefore, he has called for a report on the report. Mr Speaker, I say again that it is not a complicated document. It has a very strong and a very simple message. Its central message is soon grasped by the slowest reader, and the slowest reader would obviously have to be the minister opposite because it took him 5 months. Its urgency is apparent to the dullest mind. We do not know who has the dullest mind at this time because the honourable minister has not grasped the urgency yet and is still running in the dullest mind stakes.

The minister does not need a report on the report; he needs time, Mr Speaker, and that is what he is trying to buy in this particular exercise - time to scratch together the remnants of his decimated budget, time to concoct more credible excuses for his inactivity and time to dream up another announcement to distract attention from his failure. Time is the one thing he does not have and, more importantly, time is the one thing that the people of Katherine do not have. They have had these problems for a number of years. This report clearly demonstrates a number of areas where the current needs of the town have not been met, let alone the needs of the town when the Tindal people come later this year. Time is something the minister does not have because he has spent it all. Action is what we need from the minister.

Mr DALE (Health and Community Services): Mr Deputy Speaker, what an incredible follow-up to a deliberate attempt by the Leader of the Opposition during the past week, first, to con the ABC and, secondly, to con the people of the Northern Territory. The con was so good and he was so bloodthirsty in going after my hide, that Katherine received publicity right across Australia. I am sure that the personnel who are - or were - looking forward to coming to Katherine in the near future, have some grave doubts now as to whether or not they should ...

Mr Smith: And so they should have.

Mr DALE: You are getting far too aggressive now, Terry. Settle down, son. I'll educate you in a minute, sweetie.

Through the medium through which he chooses to debate issues in the Northern Territory, the ABC, I said to the honourable member that I had sent the report to my department to have some of the statistical data verified. Any dill would do that before he accepted the report on face value and went shooting his mouth off, denigrating the people of Katherine and the people of the Northern Territory as a whole. The people of Katherine are not a mob of hicks, drunks and psychos. That is a fact of life, and they certainly appreciate the Leader of the Opposition's interpretation of what he thinks the people of Katherine are all about. In fact, what should have happened was that the Leader of the Opposition should have been applauding me on the actions that I have taken to ensure that the proper implementation of programs

in the Katherine region is happening and will continue to happen over the next 3 to 5 years.

The first initiative I took, within only a couple of months of taking over the then the portfolio of community development, was to make available a grant of $102 000 to the people of Katherine. At the time, it was not apparent who spoke. I was asking questions on the present and future needs of Katherine and different factions from within the community were giving me different ideas. As a result, I thought that the best way that they themselves could be educated in what the real needs were for Katherine was for me to make available to them a grant of $102 000. As I stated at the time, that was to enable the committee to employ a social planning consultant and a community development officer to identify social needs arising from the Tindal development and to assist the Northern Territory government, local government and non-government agencies to develop appropriate responses.

The Katherine Social Planning Committee included representatives of non-government health and welfare agencies, the Katherine Town Council, the RAAF, Aboriginal groups, the churches and the Northern Territory government departments in Katherine. The resulting report, 'Who Speaks for Katherine?', is a report to the Katherine Social Planning Committee, not a report to me as minister. The grant which I approved was to enable a group consisting of the key non-government and government personnel in Katherine to identify social needs and to develop strategies to meet those needs. In the preface to the report, the chairperson of the committee says that the Northern Territory government's initiative in commissioning this report through a community-based social planning committee was a timely and unique approach to identifying problems in the human service areas associated with the rapid growth of Katherine.

Mr Deputy Speaker, for doing that, I have been berated by the Leader of the Opposition. He said that I should have accepted the contents of this report at face value and rushed into implementing all the services that the statistical data in this documented indicated would be required. Some difficulties were experienced by the committee in producing the report. The Leader of the Opposition referred to interim reports. I have 8 of them here. The reason why they exist and why they differ from this is because of some of the problems the committee had with the consultant who wrote the documents.

Mr Smith: That's right: shoot the messenger.

Mr DALE: I will give some details because it is certain that the honourable member opposite will not believe me until such time as I place irrefutable evidence before him. I want to read a letter that was signed by the chairperson of the committee on 13 September 1987. The letter was to the consultant at the time.

> Please find attached a copy of agenda for the next meeting of the SPDU Committee. This is to keep you informed of the processes that are being undertaken in your absence from the meeting. The majority of the committee considered it is advantageous to meet to discuss the social planning report entitled 'Who Speaks for Katherine?' in the absence of the committee's consultants in order to be able to more freely discuss its merits. To be honest with you both, some members were not prepared to endorse the report as presented and wish to have a further opportunity to attempt to influence its contents and format.

It goes on, Mr Deputy Speaker.

The reason that that letter was sent to the consultants was because, on 10 September, the committee discovered that, in fact, the report had been printed without its authority. That is the copy that the Leader of the Opposition is talking about which is dated September 1987. On 11 September, a telegram was sent to the printer to tell him to stop producing it and, on 13 September, the letter was sent. On 16 September, the committee held the meeting.

I have never received a copy of the interim report that the Leader of the Opposition is referring to. This document arrived in my office on 12 February. I was interstate at the time. I read it when I returned to Darwin a little while later. It came straight from the secretary of the committee to my office and I forwarded it to the department for proper analysis.

On 10 February 1988, a letter was distributed. It was headed: 'Open letter to members of the Katherine Social Planning and Development Unit'. I will not read it all because it is quite lengthy.

Mr Bell: Is this from you?

Mr DALE: No, it is from the chairperson of the Social Planning Committee and addressed to its members.

> I am taking this opportunity of expressing my disappointment at the quality of the SPDU report, 'Who Speaks for Katherine?'. Please find attached. I therefore now ask our consultants, past and present, why they sent to have printed a report of inferior quality, particularly when their own names are associated with it ...

Mr Smith: Why did he sign it?

Mr DALE: You had better ask him.

> ... and when steps were taken by the committee's chairman to ensure a reasonable standard. I am (a) angry that our consultants have acted in a manner contrary to the wishes of the committee and its chairman and regret that I did not move for the cancellation of their contract on their first misdemeanour, and (b) disappointed in the final product, which has my name on it as well as the consultants'. I now feel obliged to make my feelings known to the minister in the form of my personal apology, making known to him some of the circumstances surrounding the production of the report he called for.

That was tabled at a meeting of all members of the committee on 10 February. As a result of that document, the meeting commenced at 9.13 am, and I will read the minutes. Firstly, 'the final copy of the Social Planning and Development Unit Report was tabled and a common list of errata was compiled'. Secondly, 'the minister's copies' - the Leader of the Opposition is leaving as I get to the main point, Mr Deputy Speaker. 'The minister's copies were tabled, but it was resolved not to send them to him until the list of errata was typed up and included. The chairman's covering letter may need to be rewritten'. Later during the meeting, there was this motion: 'That due to our consultant's inefficiency and desire to act contrary to the intentions and the instructions of this committee, we terminate her employment contract'.

I reiterate that I did not have a copy of this report until 12 February.

Mr Smith: That is the problem, and you do not realise that that is the problem. You should have had it 5 months ago.

Mr DALE: Some of the data in that - I have never had a copy of the report, Terry.

Mr Smith: That is the problem. You should have had it months ago if you were doing your job. If you cannot realise that, then you are not doing your job.

Mr DALE: Mr Deputy Speaker, statements by the opposition and media reports have considerably distorted the circumstances surrounding the production of the report as well as the social needs of Katherine which the report describes. In fact, as I said earlier, the Leader of the Opposition has based his whole argument, firstly, on the suggestion that I had this report 5 months ago and did nothing about it - I did not have the report 5 months ago - and, secondly, as soon as I received it, I should have rushed out and implemented all the recommendations on the basis of the statistical data contained therein.

Mr Deputy Speaker, let me point out something about the worth of statistics. Media treatment of the sections of the report dealing with alcohol abuse has been significantly distorted. In fact, it has distorted the entire situation in Katherine ably led, of course, by the Leader of the Opposition in an attempt to mislead the people of the Northern Territory. The appendix to the report outlines the derivation of the estimates in the body of the report on the impact and extent of alcohol abuse in Katherine. Do you agree with that?

Mr Smith: Yes.

Mr DALE: Right. The estimates of the numbers of persons in Katherine who drink to a level dangerous to health - and I want you to remember that - are based on an extrapolation of an Australian Bureau of Statistics survey of alcohol consumption in 1986. However, the authors of this report, the people who were sacked, have actually made an error in converting grams to millilitres which renders the estimates they have given in this report in error by at least 26%. The whole report needs to be analysed.

I certainly have a list of the initiatives introduced by the Department of Health and Community Services in Katherine since the Tindal development commenced. There have been extensive developments in Katherine over the last 3 years and I would like to list a few of them. Grants-funded projects commenced or expanded in the last 3 years include the Katherine East Child-care Centre which was jointly funded by the Commonwealth and the Northern Territory at $498 000. The centre opened in February 1987, is licensed for 40 children and receives a Northern Territory child-care salary subsidy of $14 000 per annum. The Northern Territory made a grant of $15 000 in 1985 to establish a family day-care scheme in Katherine with the Commonwealth providing recurrent funding. The Northern Territory provided $60 000 in 1985 for the Katherine Family Centre and Creche to upgrade a building to child-care licensing standards. This was to meet the increased demand for child care. The Northern Territory provides a child-care salary subsidy of $15 000 per annum for that creche. The Daisy Angus Child-care Centre, which will provide private child care, will open in March 1988 and the Northern Territory child-care salary subsidy will pay 20% of salary costs per annum.

The Northern Territory government contributed $140 300 for the establishment of the YMCA Youth and Recreation Centre in Katherine, one of the best in the Northern Territory, and provides recurrent funding of $32 671 per annum. The Katherine Family Support Worker is a joint Northern Territory Commonwealth initiative with recurrent funding of $33 453. The Katherine Crisis Centre is a Salvation Army refuge jointly funded by the Commonwealth and Northern Territory under the SAP program. Establishment funding was $62 400 and recurrent funding is $110 800 per annum. It commenced operations in 1986. Additional funding for a halfway house attached to the refuge was provided in February 1988.

The Katherine Red Cross home help program was set up with joint Commonwealth and Northern Territory funding under the HACC program. Funding has more than doubled from $28 000 in 1984-85 to $59 000 in 1987-88. This government also provides $31 000 per annum to the Old Pioneers' Home Red Cross Aged Persons Hostel. We provide $74 000 to the health centre at Kalano and $29 500 for the Kalano drug and alcohol service. We provide $43 000 to the Alcohol and Drug Association and we subsidise the Katherine Town Council recreation officer to the extent of $15 000 per annum. In the area of sport and recreation, grants-in-aid in the 7 months of this year to date have totalled $122 308. The Katherine Hospital children's ward opened in July 1987 at a capital cost of $3.5m. A psychiatric nurse will commence in Katherine in 2 weeks time. In addition, visiting services will be provided by a psychiatrist and others from Tamarind Centre staff.

Mr Deputy Speaker, I have received 3 other reports covering the provision of health and community services in the Katherine region. One is entitled 'A Review of Management Services'. The second is 'A Broad-based Review of Health and Community Services' and the third is 'A Resource Monitoring Survey at the Katherine Hospital'.

This government and myself, as minister, have been extremely cognisant of the needs of the people of Katherine and we have responded to those needs in an extremely responsible way. I will refer to the report because I think it is important to note the point it makes. It says that its recommendations can be divided into 2 groups in terms of priority for implementation. The recommendations in group 1 are those requiring catch-up action to be completed within 3 years. To quote the report directly: 'All other recommendations in this report dealing with services and programs need to be initiated and pursued over a 5-year period'.

Some of the contents of this report relate to work that needs to be done in developing Katherine. We are fully aware of that. However, what concerns me - and what this debate has been all about - is the fact that, when the Leader of the Opposition saw 'September 1987' stamped on the front of the document, he thought: 'Whacko, here is a chance to attack a minister of the Northern Territory government. I have not got much to talk about in the next sittings. This will do me for a shot at him'. The Leader of the Opposition has misled the people of the Northern Territory. He conned the ABC into presenting a program about the matter and he has totally misrepresented the people of Katherine. I am sure they will let him know that next time he visits there.

Mr BELL (MacDonnell): Mr Deputy Speaker, nothing more clearly indicates the distinction between the Country Liberal Party and the Australian Labor Party than the 20-minute diatribe that has just been visited on this Assembly. It was an appalling performance and I can substantiate that allegation, unlike the extraordinary allegations that have been made by the Minister for Health

and Community Services in the unsubstantiated slander that he has poured on consultants employed by people in whom he presumably trusts. I will come back to that later.

Mr Deputy Speaker, let me refer again to the date of this report. The minister referred to a date of September 1987 on the report that he waved around in this Assembly. Will he confirm that the date on the report on the table in front of him is September 1987?

Mr Dale: Yes.

Mr BELL: Thank you. Now, let me nail one thing down before I go any further. It is that, 5 months ago, that report was received by the minister and his department.

Mr Dale: No.

Mr BELL: What he is telling us, in the face of the difficulties being experienced by the Katherine community, is that he did not bother to find out about it for 5 months. Whether the minister is naive, a fool or is misleading this Assembly is not quite clear. We would need access to more information to answer that question. What I suggest to you, Mr Deputy Speaker, is that none of those explanations is particularly palatable and it is quite clear that the Minister for Health and Community Services is not doing his job. He himself said in this Assembly this afternoon that he had received a letter from the Chairperson of the Social Planning and Development Unit, the organisation responsible for this report, on 16 September 1987.

Mr Dale: No.

Mr BELL: Well, I suggest you check Hansard because ...

Mr Dale: The first time he gave me all this data was when he came up to see me last Friday.

Mr BELL: The minister told us this afternoon that the report was being printed and that there was concern within the committee about some aspects of it. Mr Deputy Speaker, I am sure that there will be no difficulty in convincing you and the other 22 members of this Assembly, even if I have some trouble with the Minister for Health and Community Services, that he has not been doing his job. If he knew there was that sort of controversy surrounding a report relating to a growing area like Katherine and did not bother to inform himself about the report, he has no right to be holding his present position.

The minister told us he would talk about the initiatives of this government. I had my pen duly poised. I wrote down 'initiatives' but I did not get past 1. He referred, quite appropriately - and I am quite happy to pay him an accolade for this - to the commissioning of this study. Lest I be seen to be engaged merely in the sort of exercise that he engages in so readily and with such alacrity, that of criticising for criticism's sake, let me say that I congratulate the minister. Was he, in fact, the Minister for Health and Community Services when this report was commissioned?

Mr Dale: I was Minister for Community Development.

Mr BELL: I congratulate the minister for commissioning the report. What I condemn him for, Mr Deputy Speaker, is his total inability to respond to it in an appropriate way.

The fact is that, in order to fill up his time today, he got somebody in his department to pull out details of Commonwealth and Territory funding of various programs, particularly as they apply to Katherine. I doubt that I will have any trouble convincing you or anybody else that the Minister for Health and Community Services has rather missed the point. The only congratulations that he deserves in this matter are for initiating the report, and I strongly suspect that it was not a personal passion of his.

Certainly, he deserves the strongest possible condemnation for not having responded to it in an appropriate way. He attempted to denigrate the report on the basis of some problem with the alcohol abuse statistics. He did not explain to this Assembly why he was not prepared to table this particular report which he maintained was different from the draft of the report we have. Rather, he focused on one area. Let me just point out to him something that may or may not have been drawn to his attention. It concerns alcohol abuse problems in Katherine specifically. I should say, in passing, because Katherine is a rapidly growing area, that I am very sensitive to the feelings of the people of Katherine in that there may be some suggestion that they are at fault for this. The contribution that Labor makes to these particular issues is that it understands the matter of social forces and what is required in a rapidly growing area. Those blokes do not; the best they can do is to read out a list of figures with a few noughts on the end and pretend that it represents a considered program. I do not think that we have had any trouble in convincing members of this Assembly that the minister's response to this is ill-considered.

Let me turn to the question of alcohol abuse. I refer the honourable minister to section 23 where recommendations are made that catch-up action is required to be completed within 3 years. Honourable members are entitled to ask why catch-up action might be necessary and, when the honourable minister knows that this is a subject for public debate, why he has not troubled to make a more considered response to the terms of this report. I refer the honourable minister to the comments about psychiatric and family therapy services. I am sure the member for Katherine will endorse my comment that a need has been established for psychiatric and family therapy in Territory centres outside Darwin. If such psychiatric and family therapy services were to include a social worker, a psychiatric nurse and a psychiatrist and those positions were to be instituted in Katherine, where the Minister for Health and Community Services confessed there are problems, such positions would only be pro rata to the population in Katherine. I am surprised that the honourable minister has not bothered to concentrate on questions like that.

Mr Deputy Speaker, I am also concerned at the various issues that have been raised by this particular report. The Leader of the Opposition indicated that the report refers to population increase related to the Tindal base which will probably mean employment difficulties, particularly for untrained women and young people leaving school. The minister will be aware of some Commonwealth government initiatives and concern for Aboriginal people and their employment there. He will be aware that the report refers to the possible danger that Aboriginal people will be further disadvantaged in the employment stakes, as he knows them to be at risk elsewhere.

Let us turn to the poverty statistics. This particular report indicates that there are currently 1500 to 2000 people in Katherine existing below the poverty line. That should be a matter of concern and those broad-based statistics should be the subject of the Northern Territory government initiative, whether it is alone or whether it is in consort with the Commonwealth. I am surprised that the Minister for Health and Community

Services, who has far better access to information than the opposition has, is unable to present a considered response to areas of human need in that sort of area. The plain fact is that all the Minister for Health and Community Services is able to do in response to so many of these problems is to institute a flash advertising campaign, and that is not difficult.

Let me refer to other areas highlighted by the report. I refer to housing difficulties and the extent to which that impinges on the minister's responsibility. I refer to the appalling lack of public transport. I point out that the alacrity with which the Country Liberal Party was happy to see its mates making dough out of land subdivision in Katherine is in stark contrast with its refusal to give any sensible consideration to the provision of community services. I do not need to remind you, Mr Deputy Speaker. I am not sure whether the minister was in the House at the time or not. I think it was probably post December 1983. I would be interested to know how much Henry and Walker contributed to Carpentaria, but that is irrelevant to this debate.

Mr Coulter: You have 3 minutes to wrap it up.

Mr BELL: I know it is bothering you, Barry. Just handle it.

Mr BELL: Mr Deputy Speaker, there are problems with health services and this is where the minister could have made another sensible contribution. Is there a government policy on community health services? What is the government's policy in respect of the creation of an allied health team to which the report refers? I draw the minister's attention - and I am surprised he did not mention this - to the inadequate number of medical practitioners. The ratio of medical practitioners to population is 1:2000. Elsewhere around this country the figure of 1:1000 is generally accepted as being reasonable. In respect of a town like Katherine, which is experiencing rapid growth, one would have thought that a government with half an ounce of sensitivity to these issues would be able to refer to that sort of figure.

In closing, let me say once again that I am disappointed in the minister's response in this debate. As the Leader of the Opposition said, we have heard nothing more than the usual tired old bluster from the Minister for Health and Community Services. He has attempted to cover up his appalling and wilful ignorance and has refused to deal with this report in a sensible way. With respect to community services, I hope that Katherine has not missed the boat. You may rest assured that the opposition will do all in its power, within the Territory or federally, to ensure that it does not. There is one thing about which there can be no doubt: the Minister for Health and Community Services and the CLP government certainly have missed the boat, and I hope that Katherine does not suffer as a result.

Mr REED (Katherine): Mr Speaker, we do not seem to have progressed very far since the 7.30 Report last Wednesday evening. We have heard the responses of the Leader of the Opposition and the shadow minister to this document and another diatribe of selective quotation from the report. The minister has replied adequately to the issues raised by both members opposite. We heard from the shadow minister about the appalling lack of interest from the CLP government. Amazingly, we have been sitting here waiting to hear what the opposition would do and what it has done in relation to this issue and we have heard absolutely nothing positive, only criticism. All we have heard is sensational dramatising of the report, selective quotation and a whole lot of hype.

Given the 7.30 Report last week, on which the Leader of the Opposition stressed that this report was 5 months late, that there were 3000 drunks walking the streets of Katherine and its whole population were in need of psychiatric treatment, one would have expected to have heard what he has done in the time since last Wednesday. We have heard nothing of the responsibilities of other authorities, nothing of the responsibilities of the Commonwealth government, nor what the Leader of the Opposition would do. If the problems were so bad, so horrendous, one would have thought that there would have been plenty to latch onto in this report for the Leader of the Opposition to act on, to chase up a few of his federal colleagues, to provide a bit of assistance or, more importantly, for him to say just what he would do? What are the answers to the problems, if the problems are so real?

We have heard all about the terrible plight of businesses in Katherine, the doom and gloom. Late last year, we heard the Leader of the Opposition telling us that this government was creating problems because it was undermining the confidence of the Northern Territory. The Leader of the Opposition went on the 7.30 Report last week and I might say that the people of Katherine did not think that he really enhanced their confidence, especially since his comments were also reported on ABC National News the following morning. We heard that you could not get a house in Katherine. If you managed to obtain a house, you would not be able to obtain a telephone and the demand on the electricity supply caused frequent outages.

Comments of that nature don't help. The people of Katherine are not impressed with the comments of the Leader of the Opposition, nor with those of the shadow minister. They have been waiting eagerly to hear what the solutions to the problems are and what the alternative government in the Northern Territory would do if it were faced with the responsibility of fulfilling the needs of the town as perceived by the Leader of the Opposition. They have heard absolutely nothing. They have not heard how frequently the Leader of the Opposition, the shadow minister or any other member opposite has been to Katherine to see these perceived problems at first hand. How frequently have the members opposite been to Tindal to speak to the RAAF people and to look at the development of the RAAF base? They are absolutely silent on the matter. When they do go to Katherine, what happens? They sneak into town. It is like an undercover operation. They meet with their Labor Party cronies, and there are not many of those. They use a phone box in Giles Street. After their meeting, they sneak out of town. No opportunity is provided for the local residents to talk to the Leader of the Opposition, not that they would bother, but it would be nice to think that he would show them the courtesy of providing them with the opportunity. But no, nothing like that. He does not seek any first-hand information; he simply goes on the 7.30 Report and quotes selectively from this report without being concerned too much about the contents or the facts. Not only that, he and his colleagues have no positive suggestions to make.

We heard last year that the Leader of the Opposition went to Townsville to find out all about the problems of defence forces moving into towns. He has not been to Katherine. When was he last in Katherine? He is still silent on the issue. The simple fact is that the contents of the report, very largely, have been addressed already or are being addressed. We hear nothing of the good news; we only hear the doom and gloom, and that is something that we have come to expect from the Leader of the Opposition.

One of the problems that the Leader of the Opposition referred to was the business circumstances that exist in Katherine at the moment. That is well recognised and it is accepted by the local business community, and I can tell

you that the last thing that they want is any government interference. But, the Leader of the Opposition is suggesting that we should interfere with commercial development. The business opportunities in Katherine will be assessed by the business community, and they are the people best qualified to do it. It is a fact that there has been an expansion of retail floor space in Katherine over and above what is now thought to be required. However, that occurred as a result of business decisions, taken on a commercial basis. That is how it should be, and that is how the business people of Katherine will tell you that they want it. They do not want any interference from anyone else, particularly not from the Leader of the Opposition.

Whilst on the subject of business, we did not hear from the Leader of the Opposition that he had been in contact with his federal colleagues in an attempt to hasten the completion of the construction of residences at the Tindal RAAF base. Because of the slow turn-off of houses, and they are well behind schedule, we have 88 RAAF personnel in Katherine at the moment whereas we should have twice that number. We are told by the Leader of the Opposition that this problem is affecting the business people of Katherine. There is an opportunity there for him to do something, but what does he do? Nothing. We do not hear from him. He has not been to Katherine and therefore he does not know what the real problem is and, consequently, he cannot address it. As with any other report, this report requires evaluation. Nevertheless, the Leader of the Opposition simply takes it at face value and quotes selectively from it. We hear only the doom and gloom.

We heard also from the member for MacDonnell, but not much more, mind you, than we heard from the Leader of the Opposition. From neither of them did we hear any of the good news. We did not hear that, over the last 3 years, the Northern Territory government has allocated over $100m for infrastructure for the town of Katherine and that is almost half the value of the construction cost of the RAAF base which is set at something in the order of $220m. That includes the provision of high schools, new playing grounds, netball courts, an indoor stadium and cultural facility at the high school, a new primary school, extensions to the Katherine Hospital, extensions to the water supply and reticulation, a new powerhouse costing $33m and a gas-fired power station. We hear nothing of that; all we hear about are the negative aspects. We listened to what members opposite had to say, but we heard nothing which indicated what they might do. I know that is a bit much to expect. We heard that this was a do-nothing government, that this government had failed and that the one authority to blame was the Northern Territory government. We heard various selective quotations. We heard that the report came out in October despite the fact that the minister had responded adequately to that claim. That was the thrust of the opposition's arguments because it had nothing of value to put forward.

The comments made by the members opposite in this matter of public importance are an absolute sham. The people of Katherine are disgusted with them. I thought I might hear an interjection indicating when members opposite were last in Katherine. I suggest that they delay their visit a little longer because they will be skun if they go down before the heat from their comments of the last week or so blows over. I can tell members that the last people that Katherine residents want to see are members of the opposition.

In relation to some of the issues raised in the report, it must be recognised that responsibilities fall into several areas. Not only the Northern Territory government but also the Commonwealth government, the Katherine Town Council and volunteer agencies in the town provide some services. Furthermore, we need to be aware that some of the problems will not

be solved by an injection of dollars alone. Community attitudes will have to change not only in Katherine but throughout the Northern Territory and, indeed, throughout Australia.

In their selective quotations from the document, neither of the members opposite mentioned the fact that some of the figures in the report are national figures. They have been averaged out with a weighting factor to allow for what were perceived to be problems in Katherine. That is just not good enough; it will not wash. The report refers to some existing and needed services. It is interesting to see listed, under section 4.1.9, the needed and the existing facilities. The existing facilities include: information services, child-care services, crisis and emergency accommodation, recreation and leisure facilities and services, welfare workers, school councillors and welfare workers, playgroups, church groups, service clubs, some community health services and baby sitting clubs. Many of the existing services are initiatives of this government that have been put in place over the last few years, none of which has been recognised by members opposite. The same section also refers to needed services including disability services and psychiatric services. The minister has already said that the matter is being attended to. No doubt, when an officer is in place, a full assessment of the needs will become apparent as people use or fail to use the services.

The minister informed this House late last year about community health services in the Katherine region. Considerable hype was generated by the members opposite to scare the members of rural communities and the people of the region prior to the last federal election. Drug and alcohol rehabilitation services are in place. The position of RAAF community worker was advertised a few weeks ago and he will be employed by the RAAF. In relation to extended NTOC services, the working group has met and arrangements are in place. Katherine community radio is a community program which has nothing to do with the government. Marriage counselling services have been in place for some time.

The community and performing arts centre is another story that, unfortunately, I have insufficient time to dwell on but, essentially, in 1986, the Northern Territory government provided the opportunity for the Katherine Town Council to participate in the joint management of the facility currently under construction at the Katherine High School. The council declined the offer. Opportunities have been provided left, right and centre. Some have been taken up and some have not.

Since my election to this Assembly, I have done everything that I can to assist in ensuring that Katherine is provided with services to meet local demands. I will continue to do that and I am pleased to say that I am very happy with this government's response. On the other hand, I am very unhappy with the opposition's comments and, on behalf of the residents of Katherine, I reject them. The opposition has been very negative. It said nothing about what could be done or what should be done. We look forward to something a bit more positive.

Mr SMITH (Opposition Leader): Mr Speaker, under standing order 255, I would like the minister to table the copy of the document, 'Who Speaks for Katherine?' from which he quoted.

Mr SPEAKER: Is the Minister for Health and Community Services willing to table the report at this stage?

Mr DALE (Health and Community Services): Mr Speaker, my embarrassment is due simply to the fact that I have scribbled notes all over the front page of it. I am quite happy to table a copy of it. It has obviously been made available to the media and to everybody else but the Leader of the Opposition so I am not averse to this Assembly having a copy of it.

Mr SPEAKER: The minister may seek leave to table the report at a later stage.

Mr DALE: I seek leave to table the report at a later stage.

Leave granted.

DISCHARGE OF BILL

Mr HATTON (Chief Minister): Mr Speaker, I move that the motion for the second reading of the Police Administration Amendment Bill (Serial 33), contained in Government Business, Order of the Day No 1, be discharged from the Notice Paper.

Mr Speaker, it is my intention to seek leave to introduce a new bill to replace that bill.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr HATTON (Chief Minister): Mr Speaker, I move that so much of standing orders be suspended as would prevent: (1) the introduction of the Police Administration Amendment Bill (Serial 83) without notice; (2) one motion being put in regard to the second readings, the committee report stages and the third readings of the following bills - (a) the Police Administration Amendment Bill (Serial 83), (b) the Bail Amendment Bill (Serial 34) and (c) the Criminal Code Amendment Bill (Serial 35); (3) the consideration of the bills separately in the committee of the whole; and, (4) the Police Administration Amendment Bill (Serial 83) passing through all stages at these sittings.

Mr BELL (MacDonnell): Mr Speaker, given the sort of public response that there has been to this particular legislation, I am somewhat surprised that the Chief Minister has not given the opposition the courtesy of showing it the particular procedural motion that he has placed before this Assembly today. That exactly characterises the approach that the government has taken with respect to this legislation over the last few weeks.

When the bill we have just removed from the Notice Paper was first introduced, it was very heartening to note that the Chief Minister was prepared to consider points of view from the broader community and to involve himself in a process of negotiation with the different interest groups involved in the administration of justice in the Territory: Crown law officers, Aboriginal Legal Aid Service lawyers, the Law Society and so on. It was very heartening to see the Chief Minister reconsider his course of action and adopt what members on this side of the Assembly regard as a very sensible approach to the business of this Assembly; that is, to take into consideration various community views as well as legal traditions. It was very heartening to see that the Chief Minister was prepared to behave in such a reasonable way. The opposition had no problem whatsoever with that.

However, in the last 2 weeks, for no apparent reason, we have seen this extraordinary change of heart on the part of the Chief Minister. We have seen him abandon entirely the conciliatory processes of the negotiator, for which he had justifiably earned some respect even, dare I say, within my electorate and at times with myself. However, negotiator Steve has given way to hardline Steve. Let us be quite clear about that.

Mr Manzie interjecting.

Mr BELL: In spite of the fact that the Attorney-General is capable only of murmuring, I did pick up his interjection. Since I realise that he has not been in this Assembly for very long, let me clarify the point I am making. It is that the opposition is opposing urgency because of the outrageous behaviour of the Chief Minister. It was quite an appropriate confession from the Attorney-General that he was not quite sure what point the matter had reached in the Assembly or what motion the Chief Minister had moved. It is a matter of some considerable concern to all of us that the first law officer of the Northern Territory is not quite on the ball when he sits in this Assembly.

The extraordinary breach of faith by the Chief Minister in this respect has been quite mind boggling. In order that all honourable members should be aware of this, I have with me a copy of the draft amendments that were proposed to the original bills. These were the result of a process of negotiation between the police and various people in the legal fraternity to whom I referred earlier. There had been a bit of give and take on all sides and this was the result. In the context of this particular motion, I do not propose to discuss the contents of the raft of amendments. I do not propose - in fact it would be quite improper - to discuss the policy issues raised by these particular amendments. However, I will table them so that honourable members can see the sort of vacillating attitude that the Chief Minister has adopted in this respect. I seek leave to table the document, Mr Speaker.

Leave granted.

Mr BELL: Mr Speaker, I look forward to hearing the Chief Minister's explanation in this regard. The time of the people involved in the meeting does not come cheaply. The people involved were: the Assistant Commissioner of Police, now Commissioner of Police, Mick Palmer; the head of the Policy Division in the Department of Law, Peter Conran; Senior Crown Prosecutor, Ray Minahan; the President of the Bar Council, Tom Pauling QC, as he then was, now our Solicitor General; and Richard Coates, the principal lawyer with the Central Australian Aboriginal Legal Aid Service. These people did not sit down for half an hour to nut out these draft amendments. They met for 3 days. I ask honourable members to contemplate the cost to the public purse of a 3-day meeting involving people at that level and the time and effort that those highly-paid members of the community have put into these draft amendments, this sensible compromise that the Chief Minister has decided to throw out with no thought whatsoever and no explanation whatsoever. I ask members to contemplate the cost to the community of that exercise in terms of what those people could have been doing instead of taking part in that fruitless exercise.

Mr Speaker, if that were not bad enough, the Chief Minister then compounded his extraordinary behaviour by making some of the most hypocritical comments that I have heard anybody make on radio in my 7 years in this Assembly. Mr Speaker, I do not know whether you are a regular listener to Territory Extra but a few of us choked on our Weeties on Monday morning when

the Chief Minister responded to Mr Richard Coates' comment that he was not too happy, having spent 3 days and no doubt considerable time in nutting out this compromise, to find that the Chief Minister had ripped the rug out from under his feet. In fact, I heard what Mr Coates had to say too and I thought that he was very measured indeed in his comments in that regard. He very much stuck to the policy issues. What did he get back from the Chief Minister of the Northern Territory, our little negotiator, Steve?

Mr Speaker, I withdraw that. The Chief Minister said: 'Mr Coates is being, in my view, quite improper in his approach. Firstly, as a matter of courtesy ... '. I ask you to contemplate that, Mr Speaker. We had the Chief Minister saying: 'Sorry, fella, we are not interested in your week's work. Forget it. We are just ploughing ahead. We are taking into consideration one of the views of one of the groups here. We are not interested in what you have to say'. Then, the Chief Minister had the gall to go on ABC radio and accuse Mr Coates of a lack of courtesy. Good grief! Mr Speaker, these Cabinet meetings and party room meetings must be fun. I think that the Chief Minister's mind is starting to become polluted through too close an association with the Minister for Health and Community Services. As anybody in the media will tell you, the best that dear old Don can do is bucket the reporter, bucket his organisation and bucket anybody who disagrees with him.

Mr Ede: And shoot the consultant.

Mr BELL: And shoot the consultant. In this case, the Chief Minister did not shoot the consultant; he simply pulled the rug out from underneath his feet.

Mr Speaker, I will quote these comments in full from Territory Extra on Monday 22 February. Marius Benson said: 'Mr Hatton, is Mr Coates right in his concerns that laws are going to trample on civil liberties?' The Chief Minister said: 'Mr Coates has been, in my view, quite improper in his approach. Firstly, as a matter of courtesy, we provided him with an advance copy of what we are proposing to do, as a courtesy on the basis that it was going to be tabled in the House tomorrow and obviously the proper place for me to discuss this is in the Legislative Assembly tomorrow'. Not a word about the amendments that have been tabled in this Assembly this afternoon which show what an absolute hypocrite the Chief Minister is and how absolutely penurious he is of any integrity in respect of his dealings with senior members of the legal profession.

This government is already in disrepute with the legal profession right around the Territory and elsewhere around the country with anybody who knows what it is up to. As far as I am concerned, the Chief Minister's behaviour in this respect will only diminish further the stocks that this government of hicks has in that regard. These people are legal vandals. The moving of this motion to seek urgency for this is just another action of legal vandalism that these people are carrying out.

Mr PERRON: A point of order, Mr Speaker! I find the honourable member's reference to myself and my colleagues offensive and unparliamentary.

Mr BELL: Speaking to the point of order, Mr Speaker, I think I have referred to 3 frontbenchers. I have referred to the Chief Minister, to the Attorney-General and to the Minister for Health and Community Services. I can appreciate that the Minister for Industries and Development has a sensitive soul, but let me reassure him that I had no intention of impugning him in this regard. I just hope that he will have the courage to distance himself from this nonsense.

Mr SPEAKER: There is a point of order and I ask the honourable member to withdraw his reference to some members being 'legal vandals'.

Mr BELL: I withdraw the remark, Mr Speaker. Since that particular phrase is causing so much trouble to honourable members, I will have to employ a few other terms to describe the absolute disgust I have for this sort of hypocrisy and contempt for the law. We have already had a debate. The Chief Minister spoke about his sincere concerns about the police force and suggested that law and order was something dear to him. Let me point out that the maintenance of law and order requires a balance of all the different sections of the legal community involved in the administration of justice. I say that these people do not understand that and, because they do not understand that, they indicate contempt for the law that, in the final sense, rebounds on them and the people of the Northern Territory. They become objects of fun, objects of contempt. Let me say that the way this bill is being rammed through with urgency - forget about the bill itself for the moment - is, in fact, quite appalling. It is something for which I believe the Chief Minister and the government will earn the contempt of large sections of the legal community, not only in the Territory but elsewhere.

Let us look at the reasons why this Assembly needs more time to consider this bill. There are significant differences between the bill as it is to be presented and the former bill. I will say at this stage that I appreciate that the Chief Minister has a shred of responsibility left and that, in fact, he did present the opposition with a copy of the bill and a copy of his second-reading speech, and I do thank him for that. It was probably the least he could have done under the circumstances but, unfortunately, it was exactly the contents of the bill and the second-reading speech that convinced the opposition that it had to oppose this demand for urgency. For example, in his second-reading speech, the ...

Mr HATTON: A point of order, Mr Speaker! The member for MacDonnell is about to quote from a second-reading speech that has not been presented yet.

Mr SPEAKER: Does the honourable member wish to speak to the point of order?

Mr BELL: I do, Mr Speaker. I maintain that I am reading from a draft of the proposed second-reading speech of the Chief Minister rather than the second-reading speech itself, and I think that that is a crucial distinction.

Mr HATTON: Mr Speaker, following a convention of this Assembly, because it is our intention to pass this bill through the Assembly during these sittings, it was decided that we would circulate in advance a copy of the second-reading speech to the members of the opposition to enable them to brief themselves as fully as possible over a reasonable period. That is also why we have no intention of processing the bill through the Assembly today. However, to abuse that opportunity by quoting parts of a second-reading speech, without the entire speech having been presented in its full context, would be improper and would certainly breach common courtesies. I will deal with the other side of that courtesy argument when I reply to the member for MacDonnell.

Mr BELL: Mr Speaker, I can save you from the problem of ruling on the point of order if you wish. I am quite happy not to make any reference to the Chief Minister's second-reading speech. I appreciate that the Chief Minister is deeply sensitive about this and that he would be singularly embarrassed if I were to read sections of that particular draft. The fact is that the very circulation of that draft, quite apart from its contents, is tantamount to

accepting that there are significant differences between the bill the Chief Minister proposes to introduce and the bill that was introduced to this Assembly last year.

Mr Speaker, because the bills are different, the people who took the trouble to demonstrate outside the Assembly want to be able to debate the legislation in its new form. They want to be able to debate the change in policy, and I presume that not even the Chief Minister will have the gall to suggest that there has not been a policy change. I do not believe that he has such contempt for this Assembly that he does not accept that even his own backbenchers may very well want to go back to their electorates and discuss this extraordinary change. Bear in mind, that this particular bill has a profound effect on the common law position. You will recall the concern expressed over the proposed Bill of Rights which would have replaced common law provisions and the feeling in the community when exactly that happens. Here, we have this bloke who is prepared to trample all over those concerns and see this bill rammed through this House in the space of less than a fortnight. That is absolutely outrageous and nobody should be prepared to tolerate it.

Mr SPEAKER: Order! The member for MacDonnell is required under standing orders to address all honourable members by their correct titles, not as 'this bloke'.

Mr BELL: Mr Speaker, I appreciate that. In fact, if I had been allowed some rein, I do not think I would have been half so friendly or half so familiar. I undertake not to do so in the future.

However, as I say, the Chief Minister has dealt extraordinarily surreptitiously with the eminent members of that committee who spent so much time. I am sure the Chief Minister would agree that this legislation, like all legislation, should be scrutinised closely, and yet he is prepared to gun it through. It has not even been tabled in this Assembly. That is treating the legislative process with contempt and it should not be tolerated by anybody who has an ounce of respect for the Westminster tradition. The Chief Minister has said publicly that this particular piece of legislation has ramifications not only for the Territory, but for the rest of Australia. For example, reference has been made to deliberations in Victoria and the Chief Minister will be aware that the Coldrey Committee in Victoria has established various positions in this regard. The Chief Minister has made reference to the Williams Case in Tasmania. Incidentally, I am not convinced that he really understands what Williams Case is all about. Be that as it may, it is a fact that this legislation will have ramifications elsewhere around the country, and the opposition, with its relatively thin resources, would appreciate the opportunity of being able to consult with colleagues interstate in this regard.

Mr Speaker, I will debate the policy matters of taping and the reference to the relationship between the parliament and the court during the second reading. The final point I intend to make is to ask a question to which I do not think the Chief Minister can give me a straight answer. I do not think he has done too much work. I think he has had bits of paper thrust at him and he has read them out verbatim and hoped that people would shut up, tug their forelocks and say, 'yes sir, yes sir'. I have no intention of doing that. I intend finally to ask one question of the Chief Minister: how many cases within the jurisdiction of the Northern Territory in the past would have been affected by this particular amendment having been made law? Which cases could possibly have had their outcomes affected if this increase in powers had been

available? I will give the Chief Minister a clue to the answer. Not one case, Mr Speaker. I throw out this challenge to the Chief Minister: if he can give to me details of one case, the outcome of which before the courts would have been affected by this amendment being law, I will crawl down Mitchell Street from here to the casino. I am quite sure that he will not be able to provide us with a single case.

Mr Speaker, I suggest that, here and now, the Chief Minister should adjourn this debate in order to preserve the few small shreds of dignity that he has left.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to seek clarification from the Chief Minister. As I recall the motion of the Chief Minister, the first part was to seek, without leave, the agreement of the House to introduce the bill without notice. That is fine; I have no problems with voting for that. The second part was to agree to the passage of the bill through all stages at these sittings. That might be okay too, but I do not have the benefit of a draft bill or a second-reading speech or anything else. I guess that 2 or 3 of us would be flying blind if voting for such a proposition. At this stage, there is no reason why any of us should do that. I am trying to recall the last time a proposition was put before the House inviting members to put through a bill that had not hit the Table. I cannot think of one but I guess it is possible that there has been one.

A Member: I remember one.

Mr TUXWORTH: But not before it hit the Table. I can remember one, but not before it hit the Table.

Setting that aside, Mr Speaker, the last one will be a doozey compared to this one. If honourable members think that the public service amendments ...

Mr Ede: Shame!

Mr TUXWORTH: No shame at all.

If those amendments caused a bit of consternation, they were a doozey compared to what this will stir up in the community. Anybody who is deluding himself about that does not know what day it is. As I said a moment ago, the bill has not hit the Table and we have already seen our first demonstration over it. I reckon that we are in for a ripper of a fortnight if we go on the way we are going.

I am asking the Chief Minister to clarify whether the bill that is about to hit the Table is a consolidated bill containing the amendments agreed to during the discussion with the working party or a bill that does not have the amendments considered by the working party and generally agreed to. That is a pretty important issue for me in relation to voting on urgency.

If the bill does not have the general agreement of the working party, then it will be a pretty contentious issue. I would like to decide on urgency after I have read the bill rather than before I have seen it. I think that is pretty reasonable. It could be that, when I have read the bill, I will think it is okay and support its passage. On the other hand, there might be problems with it that I would like to see discussed over a period, and that is my right.

If the Chief Minister could clarify some of those points that I have raised or, alternatively, take the step of separating the introduction of the bill without notice and move a separate motion for passage of the bill through all stages at a later time - and he can move that any time from the end of his second-reading speech - that would make it much easier for us to deal with it.

Mr SMITH (Opposition Leader): Mr Speaker, the member for Barkly has touched on the arrogance of this government of which we have not seen a better example than this for a long time. We are asked to approve urgency for this legislation when 3 members on the crossbenches have not even had the courtesy of having had the information circulated to them previously and when the Chief Minister is so arrogant, and so contemptuous of this Assembly, that he will not spend any time at all in trying to justify why he needs urgency. He is prepared to talk on the ABC or Channel 8 or Channel 6 but this Assembly, which has the job of making assessments on whether urgency should be granted or not, is not given the courtesy by this Chief Minister of being told why he wants urgency. That is arrogance exemplified and, unfortunately, it is all too common in the way this Chief Minister and the people opposite approach things these days.

The member for Barkly is right in saying that there will be demonstration after demonstration for the next 2 weeks in relation to this controversial piece of legislation in respect of which the Chief Minister cannot be bothered to tell this parliament why he wants urgency. If that is not a reason for anybody who has respect for the institution of parliament to vote against this motion, I do not know what is. In my time in this Assembly, I have never seen such a contemptuous treatment of the parliament. I know the member for Barkly has much to answer for in the way he treated this parliament when he was Chief Minister but he never did anything like this. The members opposite should give their Chief Minister a pretty clear message on the way he has handled this. It is an abysmal performance.

If that is not sufficient reason, I want to give one other concrete example which shows why we should delay this bill. What I have in my hand is a solicitor's letter to the Commissioner of Police. The solicitor was writing, on 18 June 1987, on behalf of his client who happened to be the father of 3 young boys. I do not intend to read the whole document but, obviously, if so requested, I will table it. I do not intend to reveal the identities involved. In fact, on the copy that I have, all names have been blacked out. I will read to this Assembly the 3 requests conveyed to the Commissioner of Police by the solicitor on behalf of his client.

The first request was: 'Why did police officers arrest my clients' 3 children without informing my client?' The second request was: 'Why did your officer tell my field officer that the children were not being questioned when, in fact, the interrogation continued, especially of a 6-year-old?' The third request was: 'Why was my client barred from being present when the questioning continued in the headmaster's office?' The commissioner replied promptly that inquiries were under way in June 1987 when he received the letter but neither the father nor the solicitor has heard another word.

Mr Speaker, I do not want to judge the merits of the particular case. I raise it because it poses the valid question of whether there are sufficient protections and safeguards in our present legislation to protect the rights of individuals in the community and, in this particular case, the rights of kids, specifically, the rights of a 6-year-old. That is the question that this has raised and it is a question that has not been addressed even though the matter has been around for 9 months. In the light of that sort of incident, how can

we seek an extension of the power to detain? If this case stands up, there may be insufficient protection in terms of the existing powers that our police officers have.

We are totally opposed to this haste in relation to legislation. We will debate the merits of the legislation at the appropriate time and I am suggesting the appropriate time is the next sittings, not these sittings. We are not talking about a police matter. As we all know, this matter goes to the heart of our civil liberties and that is why there is so much interest in it outside.

Mr Speaker, I will give you an example of that interest in it and the reason why it should be deferred. Somebody who is totally apolitical came up to me after a football game on Saturday and said: 'What is this Police Administration Amendment Bill all about?' I have had people approach me all day at the football wanting to talk to me about the Police Administration Amendment Bill. When people are talking to other people at the football about a particular piece of legislation and the government intends to push that bill through in one sittings, I would suggest that the government has a real problem and that it might be wise for it to back off and give people who are concerned and affected the opportunity to have a close look at the amendments.

We do not want to shackle the members of the police force in their fight against crime, but neither do we want the people of the Territory living under the threat of being shackled. We heard the priorities of the Chief Minister this morning on the radio and we heard him yesterday but, unfortunately, he could not find it within himself to pay this Assembly the courtesy of explaining why he is seeking urgency. He said: 'We want to put this bill in place. We believe the police need extra powers and we will worry about the safeguards later'. The point is that people in the community are worried about the safeguards now, not later, and they are not prepared to accept any legislation without further debate, without a chance for them to make an input themselves and without the chance for them to put their point of view on the necessity for extra safeguards.

The opposition's stand on this bill can be summed up in 3 words: protection before detention. The protection of fundamental rights must take precedence over the power to detain. The fundamental rights must be put in place before the power to detain is extended. That is why we are opposing urgency. If ever there has been a bill before this House that needed extra time and extra consultation, this is it.

Let us go back to November, when the Chief Minister, to his credit, recognised that. He said: 'We are not going to proceed with it through these sittings. Instead, we will set up a round table conference'. As my honourable colleague pointed out, that round table conference met for 3 days. The police were there as well as Crown law officers, private practitioners and representatives from government legal aid services, and they did what I think is a pretty remarkable thing. After thrashing it around for 3 days, they came up with an agreement. None of them was completely happy with it but they agreed on a compromise position that suited all of them. I thought that the government had done a wonderful thing: it had managed to get these people around a table and it had managed to get them to agree. That is a pretty difficult feat because we all know how lawyers operate and how difficult it is to get people on the different sides of the legal fence to agree, but the government did it, to its credit.

But what do we find? Secretly, surreptitiously, the government has backtracked from the agreement, Mr Speaker. It has not told any of the participants, apart from those employed by government, what it has been doing. It has not backtracked in any minor detail. What it has done is take up the compromise on the detention side and remove all the safeguards that were agreed to at the round table conference. Not one but all of the safeguards have been taken out. No longer are we to have the proposed bill, as I understand it. Tape recording of interrogations, the right to inform a friend or a lawyer or even the basic right to remain silent, aspects that were agreed to at that round table conference as being desirable in the legislation, have been removed by this government unilaterally.

In November, it was bad enough that this government proceeded with this legislation, because it was so rotten. It is worse now that the government has taken this action because it has betrayed the trust of prominent people in the legal fraternity who thought they could work with this government to solve the problem. Now, we find that apparently the government wants to forget that and wants to bulldoze this legislation through during these sittings.

If this government proceeds to bulldoze the legislation through at these sittings, the member for Barkly is correct that we will see the people of the Northern Territory voice very strongly, over the next couple of weeks, their concern not only at what is proposed in the legislation but also at how the government has gone about this.

I ask the government to back off. As the member for MacDonnell has said, there is no reason for urgency for this legislation. The Chief Minister has not been able to find 1 case that has been adversely affected by the lack of these amendments. In fact, the Chief Minister is on record as saying that what the legislation does, in part, is to put into law the existing practice. If that is the case, that strengthens my appeal and the appeal of people in the community for the government not to proceed with this at these sittings and to allow a full and open debate by all people who are concerned.

To pick up the point made by the member for Barkly, and to assist the government and to ease it out of a hole, I wish to move an amendment. Mr Speaker, I move that we omit paragraph (4) of the motion.

Mr EDE (Stuart): Mr Speaker, 2 things have amazed me about this debate so far. The first is the amazement that I felt that the crossbenchers were not provided with copies of the bill. I find that to be a gross breach of courtesy. I support what the member for Barkly said. How can anybody make a decision on urgency if he does not have a copy of the bill in front of him? How would he know what he is talking about? How can he decide whether it is urgent or not urgent? That is the first point and it was put forward eloquently by the member for Barkly. I am quite sure that other members of the crossbenches will make that point in their turn.

The other point that has amazed me is that there has been no support for the Chief Minister's position from his own back bench or, indeed, from any other minister. I wonder whether they are in the same position and whether, in fact, they have not received a copy of the legislation or a copy of his second-reading speech or whether they intend simply to continue in the fashion of the Greek chorus, baying away at the moon in support of their Chief Minister, when they know full well that what he has done is completely indefensible.

Do they know the reason why they are supposed to vote for urgency? If they do, not one of them has risen to speak even though 3 opportunities have been available to them so far in this debate. There is a vague possibility that the Chief Minister meant to tell us the reason for urgency but became confused by the forms of this parliament and overlooked that detail. However, if that were the case, I would have thought that a member of his back bench or 1 of his ministers would have risen to indicate that they had all discussed this and understood why it was so essential that urgency be granted. Then, we would have known, but we do not have a clue.

The only guide that we have is the remarks that the Chief Minister made this morning on Territory Extra when he stated that matters such as the tape-recording of evidence, the right to remain silent and the ability to have lawyers or friends present are to be treated separately. We all know about the compromise agreement that was reached and that it came about after an incredibly difficult process. It was reached only after those eminent persons present decided that, even though possibly there would be substantial diminution of a person's civil rights under the legislation, other measures, such as the use of tape-recordings, the presence of lawyers or prisoners' friends and the right to remain silent, would create a new balance. Some of us were not particularly happy with that position but we were willing to debate it fairly and honestly in this House. We believed that we were being provided with sufficient time to form opinions and debate them. We are now told, however, that the Chief Minister is only taking one side of the equation. He intends to ram through all the nasties now and tell us that all the safeguards will be left till later, that the checks and balances will be contained in a package to be delivered at a later date.

The opposition's first point has been made already: why the rush? Why can't we wait for a total and balanced package to be developed so that it can be debated properly by this Assembly? Why is it necessary to take half and run with it now and leave the rest until later? Is it that organised crime is rampant throughout the Northern Territory? We are not going to make any half-smart remarks about Carpentaria Pty Ltd because we all know that it will not be affected by this legislation when it is brought before the bar of justice. Is there information about massive drug rings operating in the Northern Territory and is this legislation needed now to crush that cancer in our society? Has there been any such evidence? If there is, it certainly has not been brought before this House and no member opposite has provided such evidence in the face of the Chief Minister's failure to do so.

It is obvious from developments in Victoria, South Australia etc and the reasons why other states are considering moves which go some way in this direction, that the circumstances which apply there are not the same as those in the Northern Territory. I have very grave doubts about whether we need this legislation at all in the Northern Territory, with or without the compromises. One thing that must remain fundamentally clear to everybody is that this legislation does not require urgency. To seek it in this case is a contempt of this House and a contempt of the parliamentary procedures that have been developed over a long period. It is a contempt to seek urgency on legislation of which some members have not even seen a copy and without giving any reason why there should be haste.

Mr Speaker, it is contemptible and I will give you one reason why. On a number of occasions, the opposition has proposed necessary and sound amendments to various laws of the Northern Territory. When the government has had no other means of rejecting these, it has told us: 'We cannot do it now. There might be some good in what you are saying but we are developing a total

package of law in that area and we do not want to make piecemeal amendments'. That is why it rejected our amendments to the Liquor Act, even though they would have removed grotesque injustices which are being perpetrated on people in the Northern Territory. That has been stated again and again, and was restated even by the Ombudsman recently in relation to a case in Nhulunbuy. In spite of that and in spite, I suspect, of the private agreement of virtually every member opposite that our amendment was proper and necessary to safeguard the rights of Territorians, the government said it was unable to act because various matters were under examination. We were told to forget about the fact that people were suffering and to forget about all the examples we put before this House to show why the law was unjust. The government told us to wait. Not only could we not have urgency, we could not have a reasonable debate on the legislation.

The same applied with our proposed amendments to the Electoral Act. We even heard the Chief Minister admit that 7 days was a reasonable time. We have had more elections since then; I remember one in the electorate of Barkly. Nevertheless, we still have not seen any amendments proposed by the government. It simply said that it would not agree to our amendments, good as they were, because the whole issue had to be addressed as a total package. The government constantly says that a total package, encompassing the checks and balances, is what is needed. It appears that, whenever we propose legislation or policies that the government has no answer for, it claims that it is putting together a package.

If one looks at the type of legislation that we are attempting to enact and which the government says cannot be enacted because of the requirement for a package, it is apparent that there is a fundamental difference in approach. We have been attempting to enact legislation which would either provide further guarantees for the rights of Territorians or remove grotesque anomalies or imbalances that currently apply in the legislation. Whenever we move to provide more civil liberties and rights for Territorians, the government tells us to wait for a package. If, however, legislation aims to remove people's civil rights, to remove checks and balances and to remove the rights of Territorians not to be locked up in jail, no package is needed. We can go ahead with some parts and worry about the safeguards later on.

Mr Speaker, this urgency motion is outrageous. It requires immediate withdrawal and I would hope that all members will have the grace to vote for the amendment put forward by the Leader of the Opposition so that we will at least have the ability to discuss this particular legislation in the community during the next couple of months and to put it to the test of public scrutiny. We will then see whether it stands up or not. That is our minimum position and we will discuss the balance of the legislation if we fail to achieve it.

Mr LEO (Nhulunbuy): Mr Speaker, I have a few simple questions to pose to a number of members of the government. I would like those public proponents of justice and legislative sanity in the Northern Territory to stand up and utter 5 simple words. I would like the member for Wagaman, the member for Port Darwin, the member for Ludmilla, the member for Jingili and the member for Victoria River to get up and tell this Assembly that they have seen the bill in relation to which they are either to support or reject urgency. It would be a bonus if they, as responsible MLAs and responsible representatives of their electorates, could actually tell this Assembly that they have discussed the legislation with their constituents and have found that it concurs with the community's wishes. If they cannot do that in a few, simple words, they have abrogated their responsibilities and their obligations as members for their respective electorates. They will have absolutely rejected their own communities and will have no place in this parliament.

Mr Speaker, I cannot say to my constituents or anybody else that I have seen the bill. I cannot say that I have discussed it with my electorate. I cannot say that I have discussed it with any group within my electorate to obtain feedback. How can I, in any sanity, vote for urgency? How can I? To propose that a bill of this nature pass through this House in these sittings is legislative insanity! It is part of the legislative program that we keep hearing about from this government when it says: 'We have a legislative program. These are the changes that we want to introduce. These are musts for the Northern Territory's future'. This is not legislative programming; this is legislative adhockery in its very worst form. Unless those 5 government MLAs can get up and say that they have detailed knowledge of this bill and have discussed it in detail with their electorates, they have abrogated their responsibilities and do not deserve to be MLAs. If they cannot say that they have done that, I intend to make damn sure that their electorates know about it and, if they say they have discussed it in detail with their constituents, then I intend to find out whether that is true or not.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, when a motion is introduced, it is usually the intention of the mover that intelligent debate will ensue. Unfortunately, in this case, I am being asked by the Chief Minister to vote on something that I know nothing about. I understand that a new bill has been circulated. I have not seen a copy of it and therefore I cannot accept the Chief Minister's motion. Nor can I accept the amendment put forward by the opposition because I would not know what I was voting on. The CLP tried to railroad me before last March. It tried to force views down my neck and it got a reply from the people in my electorate. Now it seems that the CLP is trying to force something down my neck again and, in doing so, it is trying to force it down the necks of 3000 people in the rural area. When somebody tries to force something down my neck - and nobody has succeeded yet - I can assure him that it would be regurgitated in a very violent fashion.

Mr Speaker, somebody said to me at the weekend that I was really still in sympathy with the CLP, and that I was really a de facto CLP member. I intend to disillusion that particular gentleman - in fact, 2 gentlemen who are in the House today. I am not a de facto member of the CLP and, in this case, I will be voting against the urgency sought by the Chief Minister and also against the amendment put forward by the ALP because of the simple fact that I would not know what I was voting on.

Mr Coulter: That is a good position for you.

Mrs PADGHAM-PURICH: The Treasurer might vote on things that he knows nothing about, as might members of the government back bench. I do not often agree with the ALP but I am forced to do so on this occasion. Government members have not supported their Chief Minister at all. We have heard of divisions in the CLP and they are quite evident today because the Chief Minister has not received any support. I have to agree with the ALP in opposing urgency. I even have to agree with the civil libertarians who, I understand, are in the gallery today. That really hurts because I am a pretty conservative sort of a person and I do not usually agree with the ALP and the civil libertarians but, in this case, I am practically being forced to vote on something that I do not know anything about. It is a bit like buying a pig in a poke. Any sensible person wants to see the pig before he buys it.

I cannot see why there is any necessity for urgency for this bill. For the information of the Chief Minister, perhaps unlike other members on the

crossbenches and in the ALP, I did not find too much to disagree with in the bill that he first presented. But he has certainly put my back up now by expecting me to agree to urgency for a bill that I have not seen. That certainly is not how to win friends and influence people.

I also agree that it seems to be a case of complete arrogance. I am not talking about other people's electorates but it is certainly a case of complete arrogance towards myself and my constituents because, as their representative, I do not know what it is all about. If the CLP is counting the number of times I vote with the opposition, as it seems to be doing with the member for Barkly, I am quite happy to answer to my electorate and to tell people in the rural area about it. In fact, I will make it my business to write in our local paper why I voted with the ALP and against the CLP on this matter. It is because the Chief Minister is trying to force something down my neck and I am not going to stand for it.

Mr DALE (Health and Community Services): Mr Speaker, I rise to clarify a point more than for any other reason. Has the Leader of the Opposition tabled the document he mentioned before? I am asking, under standing order 255, that the document relating to the arrest of 3 young boys be tabled.

Mr COLLINS (Sadadeen): Mr Speaker, for some 300 years, the checks and balances between a person's civil liberties and the powers the police need to do their jobs have been debated. The issue has ebbed and flowed through history. It seems incongruous to me that today the Chief Minister should move this motion without one word of explanation as to why there is such a great hurry. That just does not wear with me. This is too important a matter. I do not believe that the government will get the support of the community and we all know that, unless the community is behind the bill, it will be hard for the law to be enforced.

I cannot support urgency on this matter. I was astounded when I came in here. I did not hear all of what the Chief Minister had to say because I was racing back here after attending to some other business. What he said obviously did not take long. I wondered when the bill was to be introduced for us to consider. I had no problem with a suspension of standing orders to allow it to be introduced now. There is plenty of time during the sittings for it to go through the normal channels. But, to vote on urgency for a bill which I had not seen was a different matter. Initially, I thought only the 3 crossbenchers had not seen it. We and our electorates do seem to be treated with some degree of contempt by the government and possibly also by the opposition. Electorally, that is an advantage because it means we can spend more time in our electorates. However, we have contributed over the years. I thought we were again being left out in the cold and I was very surprised to find that the opposition received only 1 copy of the bill. It was no doubt able to duplicate it and pass it around amongst its members, but it should not have had to. In fact, I have not heard from the government as to whether all of its members have received a copy of the bill and the second-reading speech.

I cannot and I will not support a motion of urgency on a bill that I have never seen. If the government wants to get the support of the House and the community, it will have to stop acting in this arrogant manner. It is an insult to us as members and it is an insult to the people of the electorates that we represent. My position is very clear. I am very angry over the way this matter has been handled. It is ham-fisted. The government needs to wake up or it will lose a lot of credibility. If this continues, when the next election comes around, the government may well find that it will need the crossbenchers in order to remain in government.

Mr TUXWORTH (Barkly): Mr Speaker, if I could just use the opportunity to speak to the amendment moved by the Leader of the Opposition, I would like to say that, in the last few minutes, the Chief Minister has given me a Chamber briefing on what is likely to be in the bill that is to come before the Assembly some time today or tomorrow. I can only say that I am more confused than I was when we started. It is still not possible for me to say whether we are dealing with something that is good or bad or something that should be delayed for some time.

Mr Speaker, I would like to propose a course of action to the Chief Minister which might take this item off the boil for a while and give everybody a chance to settle down, because it will be a pretty warm time in the old town while it continues. Could I propose to the Chief Minister that, as this particular bill is a part of and does not replace all of the previous bill ...

Mr Hatton: Wrong.

Mr TUXWORTH: I got it wrong, did I? Let me start again. My proposition is that he withdraw the original bill so we know that it is off the Notice Paper.

Mr Smith: It has gone already. The original bill has gone. We have done that.

Mr TUXWORTH: That has been done? I am happy to hear that.

Mr Speaker, if the Chief Minister could give us the benefit of a copy of the bill and then move his urgency motion and the suspension of standing orders tomorrow for the introduction of the bill, we could then decide how to respond, after we had had the benefit of sighting the bill's contents. To keep on going the way we are going now will simply inflame the situation.

The honourable members in front of me feel aggrieved that they have been treated badly by the government. I must say that I do not feel aggrieved. The government is doing to us what it is doing to the whole community. You have only to walk around and talk to members of the community to hear that. We are not receiving treatment that is any different from that which the government dishes out to anyone else and therefore I don't expect anything better and I am not disappointed. But, this is no ordinary bill. It will lift the lid on considerable emotion, and my proposition is that we receive copies of it and then deal with it on another day so that we have all had the opportunity of understanding what is in it and can make an objective decision about how to vote on it and its urgency.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, this urgency motion by the Chief Minister has certainly raised some emotions in the Assembly. First of all, I think the reasons for urgency should be explained. Nobody has actually explained what the reason for urgency is. It would probably be easier for people to understand the bill if they saw it. Obviously, the motion that the Chief Minister moved was to enable the bill to be tabled thereby permitting members to see its contents.

I think it is correct for me to say that this bill is very similar in content to the bill that was tabled previously except for the provision where a fixed time provision has been replaced by a reasonable time. The reason for urgency is something that I would like to clear up. I think that the views expressed by a number of people regarding civil liberties and the protection

of the individual are views that are held by all members of this Assembly and this government will pursue them to the end of time because our society is based on the protection of the individual, civil liberties and a system of law which enables the wrongdoer to be pursued and convicted and the innocent to be released. The reason ...

Mr Bell: Is that what happens?

Mr DEPUTY SPEAKER: Order! The honourable minister will be heard in silence.

Mr MANZIE: Mr Deputy Speaker, the reason for the urgency motion in relation to this bill is the fact that we are seeking to overcome restrictions on the obtaining and use of evidence from persons held in lawful custody arising out of problems which have been created by the courts' view of the common law in relation to custody. Prior to Williams Case, the courts' view was that the common law allowed - and it was something that had been part and parcel of our law ...

Mr BELL: A point of order, Mr Deputy Speaker! The Attorney-General is not speaking to the motion. He is discussing ...

Mr Hanrahan: Try the amendment.

Mr BELL: If the Leader of Government Business wants to rise and speak to the urgency motion and make a fool of himself, he is most welcome to do so.

I am dealing with the comments of the Attorney-General. The Attorney-General is currently discussing the policy issues involved with the amending bill itself. He is not speaking to the urgency motion which, of itself, would not ordinarily bother me. I appreciate the difficulties he has in getting these things right, but I would point out to the Attorney-General that there are other people in this Assembly who have not had the benefit of having discussed this in Cabinet or of being members of the government yet who, nevertheless, have electorates to represent. I had hoped that the Attorney-General would have a little more respect for the deliberations of this Assembly. I would suggest that his comments must be relevant to the question. His comments are not relevant to the question which relates to an urgency motion, not the bill itself.

Mr MANZIE: Mr Deputy Speaker, speaking on the point of order, actually I am discussing the reasons for urgency and I believe that I am the only member in the Assembly who has addressed that particular question at this stage. I consider that the comments from the member for MacDonnell are ridiculous in the extreme.

Mr TUXWORTH: Mr Deputy Speaker, I take the point made by the honourable Attorney-General that he is speaking to the motion in terms of the bill itself, but I would point out that there are still people in this Chamber who do not have a copy of the bill and who have no knowledge of what is in it. We have very little understanding of what the honourable member is talking about because we do not have the bill. This can go on as long as you like, but the reality is that we do not have a bill and we are being asked to vote for something that, in our terms, does not exist.

Mr DEPUTY SPEAKER: There is no point of order.

Mr MANZIE: Mr Deputy Speaker, the reason for urgency is that we have had a situation for the last 20 years where the common law has provided the ability for police to carry out investigations regarding detained people and that those principles have been changed by a matter that was referred to the court which changed the court's view of what common law allowed. During that particular case, the judges involved in Williams Case, Mr Justice Wilson and Mr Justice Dawson, actually said:

> It would be unrealistic not to recognise that the restrictions placed by the law upon the purpose for which an arrested person may be held in custody have on occasions hampered police, sometimes seriously, in the investigation of crime and the institution of proceedings for its prosecution. And these are functions which are carried out by police, not for some private end, but in the interests of the whole community. Instances of legislative modification of the common law in recent times may be seen as reflecting a need which the common law no longer meets.

The matter was one where the common law was no longer recognised as carrying out a function that had been normal in this community for over 20 years. This amendment bill is legislation which deals with matters formerly dealt with under common law. It is something that has been requested by no less a person than the Chairman of the National Crime Authority. We are looking at a matter which has been the norm in this country and in all English-speaking areas. In England it is the norm. We have had a situation where the courts have said that the common law does not really mean that one can do that. Even the ex-Chief Justice, Sir Harry Gibbs, has recognised that there is a problem in relation to Williams Case and that it has to be addressed. This legislation brings the situation back to no more and no less than what it has been for many years in the Northern Territory.

The reason for the urgency is that, if a very serious crime is committed, a rape or a murder ...

Mr Ede: Rubbish!

Mr MANZIE: These people don't understand or maybe they do understand but, because they are not interested in protecting our society, they don't wish the courts to be able to take action against wrongdoers. Maybe that is why they are kicking up such a fuss.

We require urgency for this legislation because, at least, we must return our legal situation to what it was for many years. All the other matters that have been addressed by members opposite can be addressed in a proper place at a proper time and with due consideration by everyone. It is imperative that we reinstate, through legislation, protections that have existed in our society for many years. There has been protection through the application of common law for many years. That has been changed because the courts have taken a different view and, in doing so, they pointed out that there was a necessity for legislative change. We require urgency for this legislation because, if a serious crime occurs, we will be letting the community down because we will be unable to deal with the offenders in such a matter. It is incumbent on us to ensure that the Northern Territory people have the same protections as they have enjoyed for many years.

Mr HATTON (Chief Minister): Mr Speaker, I would like to bring some rationality back into this debate. I must admit that I was amazed at the vehemence of the carry-on of members opposite because ..

Mrs Padgham-Purich: We did not have the bill. That is why I was cranky.

Mr HATTON: If the member for Koolpinyah will settle down for a minute, I will explain the reason for the procedure.

In September of last year, a bill was introduced to this Assembly which dealt with the issue of the detention powers of the police under the Police Administration Act. That bill has been the subject of wide and extensive community discussion and consultation. In fact, it did not proceed through the sittings in November last year in order to enable consultations to proceed. Consultations and discussions with the legal fraternity have ensued and I am certain that all honourable members would have had discussions within their electorates over the last 6 months in respect of the issue of police detention powers. As .a result of those discussions, quite extensive amendments were recommended.

In addition to extensive recommendations in regard to the provisions in the original bill, it was recommended to the government that a series of additional clauses be incorporated in the bill. Without going through the details of each and every one of them, those provisions related to legislating specifically for certain safeguards. Those safeguards already exist within common law and include the right to silence, the right to legal representation etc. However, as was raised last September, the common law reinterpreted the detention powers of the police in Williams Case. That is what stimulated us to clarify what the legislature deemed to be the appropriate interpretation of those powers and, in fact, relates them to an interpretation that was consistent with pre-existing practice.

Mr Speaker, I can advise honourable members that the bill I am seeking to introduce today encompasses the amendments dealing with those clauses that, except for the odd word or order of clauses, are consistent with the results of the agreement and the consultations between the police, the Department of Law and the legal fraternity. It is true that this bill does not include the additional legislated safeguards with respect to rights of silence etc. In other words, it does not codify what are now common law rights.

Mr Smith: Since when is tape-recording a common law right?

Mr HATTON: The issue of the validity or veracity of evidence is a matter that is tested by the courts in determining the acceptability of evidence and that may include the use of tape-recordings. It happens to be a fact of life that, in most cases, the Northern Territory Police Force uses tape-recordings when conducting interviews. In fact, where facilities are available, it uses video and has done so for a considerable period. They happen to be very good tools in the investigatory process. To codify them, however, and to say that, unless the interview is taped or videoed it is unacceptable, raises a series of very important ramifications that need to be addressed seriously. I advise the Assembly that it is our intention that each of those issues will be dealt with properly with the legal fraternity and I have already instructed the Commissioner of Police and the Department of Law to that effect.

Mr EDE: A point of order, Mr Speaker! The essence of a debate on a request for urgency is an explanation to the House of why it is necessary that urgency be granted. The Chief Minister has not addressed that issue at all. He is talking about what is in the bill.

Mr HATTON: Mr Speaker, in relation to the point of order, I am developing an argument which will demonstrate the logic and the precedent for the course of action which has been adopted in this Assembly.

Mr SPEAKER: There is no point of order.

Mr TUXWORTH: A point of order, Mr Speaker! The Chief Minister is addressing, in detail, the contents of a bill that I have had for 5 minutes. I still do not have a copy of the second-reading speech. I am having difficulty relating his remarks to the issue of urgency because the contents of the bill are still not clear to me. It is totally unreasonable to persist with the urgency matter while we have not had a chance to assess the contents of the bill.

Mr SPEAKER: There is no point of order.

Mr HATTON: Mr Speaker, I give honourable members an assurance - and I have already issued instructions to the Commissioner of Police and to the Department of Law - that there will be consultation on a number of issues, particularly those which the member for MacDonnell dealt with, and that those matters may well be the subject of separate legislation.

I could have dealt with everything by means of proceeding with the original bill through the committee stage and the third reading. These measures could have been achieved by way of amendment but I felt it was in the interests of this Chamber and in accord with its precedents to adopt the approach of withdrawing the existing bill, introducing a new bill and presenting a new second-reading speech to inform this Assembly on the exact position in relation to legislation which has been before it for 6 months and to give honourable members an opportunity to debate the issues properly next week. That was the reason for seeking urgency.

The member for Barkly said he cannot ever remember a case when this sort of motion has been moved. I would refer honourable members to the minutes of Thursday 23 August 1984 in relation to the Petroleum Bill 1984 (Serial 61). I quote: 'The order of the day having been read for the consideration of the bill in committee of the whole Assembly, Mr Tuxworth, Minister for Mines and Energy, by leave, moved that the bill be discharged from the Notice Paper'. That was passed. Mr Tuxworth then moved 'that so much of standing orders be suspended as would prevent the Petroleum Bill 1984 (Serial 70) being introduced without notice and passing all stages in these sittings'. That was put and passed in the 1 motion.

Mr Ede: This bill addresses the fundamental rights of Territorians!

Mr SPEAKER: Order! I have been fairly tolerant to date. Continual chatter across the Chamber and interjections after a ruling will result in the member being named.

Mr BELL (MacDonnell): Mr Speaker, I am speaking to the amendment. The Chief Minister has made a fairly extraordinary contribution, failing to take up the challenge I issued when I was speaking to the motion. I sincerely trust, when he sums up and explains to this Assembly that he will be deferring the deliberations on this particular bill, that he will be able to give us the example of a single case, as I asked him to do.

I did not intend to speak to the amendment but I do so to reinforce the point made by each of the independents in this Assembly. Time after time, we are told by government members in the same sort of sanctimonious, hypocritical fashion, that the Chief Minister ...

Mr SPEAKER: The member for MacDonnell will withdraw that remark.

Mr BELL: I withdraw, Mr Speaker. The extraordinarily sanctimonious behaviour that the Attorney-General and the Chief Minister are displaying today shows that they are attempting to ride roughshod over the rights, not only of individual members of this Assembly, but individual Territorians. The Chief Minister has tried to tell us that this bill has been around for 6 months ...

Mr Hanrahan: It has.

Mr BELL: I know that the Leader of Government Business has not been here for long. Let me line the 2 bills up and look first at the original bill.

Mr HANRAHAN: A point of order, Mr Speaker! Members opposite have raised a point of order claiming, in the context of the question of urgency that we are dealing with, that the Chief Minister was dealing with the bill as a whole.

Mrs Padgham-Purich: He got away with it!

Mr HANRAHAN: Regardless of whether he got away with it or not, the fact is simple. The member for MacDonnell is about to involve himself in a dissertation which does not relate to the matter under discussion: the need for urgency. We should not have to sit here and, once again, listen to discussion on the finer points of what is actually contained in the bill. We should be discussing solely the question of urgency. The member for MacDonnell can give his dissertation on the bill at a later stage; we should not tolerate it now. Let us hear his arguments in relation to urgency.

Mr LEO: Mr Speaker, speaking to the point of order, the Chief Minister gave as one of his reasons why urgency should be granted that the substance of the bill that was about to be presented is substantially the same as the bill that had been presented last year. The Leader of Government Business is, in fact, denying his Chief Minister's argument. If that is what he wants to do, fine. I believe that it is my colleague's obligation to debate the reasons that the Chief Minister has given why urgency should proceed.

Mr SPEAKER: There is no point of order.

Mr BELL: To set the heart of the Leader of Government Business at rest, let me point out that, whereas I am about to refer to particular provisions in the bill to demonstrate that they are in fact entirely different bills, I have no intention of referring to the subject matter of provisions to be inserted. I trust that the Leader of Government Business, who is supposed to be full bottle on standing orders and on the procedures in this Assembly and who so frequently demonstrates his inability in that regard, will listen to what I have to say and then vote in favour of this amendment so that the independents in this Assembly can do their job of taking the bill back to their electorates for discussion with interested people.

That is the chief reason that I rose to speak to this amendment. This is an extraordinary bill but I believe that we have a responsibility to treat it as a normal bill and that it should be subject to processes set down in the standing orders of this Assembly so that it will be given due consideration by the community for whom we legislate: the people of the Northern Territory.

The Chief Minister has not been as bad as the Attorney-General. I have had much to do with the Attorney-General over a few years. I think there is a very good chance that, after the next election, he will have the opportunity

to serve in the opposition. He will probably lose his seat unfortunately. If any person needs a dose of opposition, he is that person. Probably, he is the only member of a Westminster-style parliament who has been a minister from day one. The fact is that he has not had the opportunity to obtain a breadth of experience in the legislative process. Let me tell you, Mr Speaker, that nowhere was that made clearer than in the ugly diatribe that he delivered today. I do not intend to address the policy issues that he so ham-fistedly attempted to address this afternoon. I am not going to touch that. I will be addressing those issues ...

Mr Manzie: Why don't you try?

Mr BELL: I will not only be trying but I will be succeeding when, at the next sittings of this Assembly, this bill comes up for debate. I wish to reinforce for the Attorney-General, a man who is supposed to have some modicum of respect for the rule of law, that he is prepared to ride roughshod over the electors of Sadadeen, over the electors of Koolpinyah and over the electors of Barkly.

Mr HATTON: Mr Speaker, the member for MacDonnell is speaking to a point of order.

Mr BELL: I am not. Sit down.

Mr HANRAHAN: A point of order, Mr Speaker! I have had just about enough of this. There is an amendment which says 'omit paragraph (4)'. Let us be reasonable about this. Paragraph (4) says: 'the Police Administration Amendment Bill (Serial 83) passing through all stages at these sittings'. Unless the member for MacDonnell addresses himself to the issue of urgency instead of the contents of the bill - and we have said that there will be opportunity for full debate next week - he is not only flaunting standing orders but also making a mockery of this House.

Mr SPEAKER: There is no point of order but I would ask the honourable member again to relate his remarks to the amendment.

Mr BELL: I will certainly abide by that, Mr Speaker.

The independents in this Assembly deserve a better go than they are receiving. For that reason, the government has a responsibility to accept this amendment. I retract none of my comments about the appalling display by the Attorney-General. I am bemused that we so often have comments from backbenchers about the rights of the individual yet here they are being ridden over roughshod. It is not to be tolerated.

I am particularly sympathetic towards the member for Koolpinyah. I know the effort she makes in studying legislation. Occasionally, I think it is painstaking to the point of boredom but never would I never deny her the right to do it. As Voltaire said: 'I may disagree with what you say, but I will defend to the death your right to say it'. As far as I am concerned, that sort of maxim ought to be pursued in this regard. The Leader of Government Business is showing extraordinary contempt for democratic processes if he is prepared to support such legislation being pushed through under urgency.

Mr Speaker, I have thrown out a challenge to the Chief Minister in respect of actual cases that have come before the courts and which might have been affected by legislation of this sort. If he were able to provide one example, it might suggest that the legislation could be necessary. If he were able to

provide 5 or 10 and he were able to demonstrate that there was a likelihood of more coming before the courts in the near future, perhaps there might even be a case for urgency on that basis. However, he can demonstrate none of that. I do not believe that, when he sums up on this bill, he will address that.

He mentioned the need for urgency because of Mr Justice Stewart's correspondence with him. I suppose he is fairly pleased to be lobbied in this way by the eminent judge. However, in addition to providing the independent members of this Assembly with copies of the legislation so that they can actually give it some consideration, I suggest that the Chief Minister table the letter that he has from the Chairman of the National Crime Authority. In the Chief Minister's summing up, I would like some details of relevant cases and I want to see Mr Justice Stewart's letter. I do not believe that he will give either to us.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to speak to the amendment, could I earnestly request ...

Mr SPEAKER: I am advised by the Clerk that the honourable member spoke after the Leader of the Opposition introduced his amendment and, as such, she was speaking to the amendment.

The Assembly divided:

Ayes 9	Noes 15
Mr Bell	Mr Coulter
Mr Collins	Mr Dale
Mr Ede	Mr Dondas
Mr Lanhupuy	Mr Finch
Mr Leo	Mr Firmin
Mrs Padgham-Purich	Mr Hanrahan
Mr Smith	Mr Harris
Mr Tipiloura	Mr Hatton
Mr Tuxworth	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter

Amendment negatived.

Mr HATTON (Chief Minister): Mr Speaker, I would urge all honourable members to recognise that, far from this being an attempt to circumvent the procedures of the Assembly or the rights of honourable members to be fully informed and to participate in the debate on this legislation, what I am seeking to do here today is, in effect, to replace a bill that was before the House with an alternative bill dealing with the same subject, the contents of which are the results of some several months of community consultation and comment. Had I not wished to create a circumstance where I could explain that situation to this House, and then provide a time gap and an opportunity for members to address where this legislative process is at the moment, it would have been quite possible and proper for me simply to have allowed the second-reading debate to proceed today and, in closing that debate, to have provided the information that is now available. I could then have moved all of the amendment during the third reading.

Mr Ede: Not the third reading, the committee stage.

Mr HATTON: Through the committee stage.

Mr Ede: We would have had unlimited right to discuss it at length, and that is what you are running away from.

Mr HATTON: Mr Speaker, I do not believe that that would have been in the interests of rational or fair debate in this Chamber.

There will still be a committee stage in the passage of this bill, Mr Speaker, and I am not frightened by that fact. Certainly, I am not frightened of any arguments that may be raised by the member for Stuart or any amendment he may choose to propose next week during the committee stage as is his right as a member of this Assembly.

Mr Ede: Is it the public you are frightened of?

Mr HATTON: The public has been debating this subject since September of last year.

Mr Ede: Not this bill.

Mr HATTON: This bill can well be deemed to be the consolidation of amendments that are being proposed as a consequence of those consultations. It is true that it does not include all of the recommendations and additional matters that were proposed by people in the legal fraternity. Again, I say to honourable members that those matters are not excluded or closed out from future legislative amendments but we do want to examine more closely the ramifications of legislatively codifying such recommendations as distinct from maintaining the existing common law rights' situation in the Northern Territory. As I have advised this House this afternoon, I have already instructed both the Commissioner of Police and the Department of Law to proceed promptly with consultations with people in the legal fraternity.

Mr Ede: Give us the time frame.

Mr HATTON: I have asked that those negotiations start inside the month. How long they will take I am not prepared to say because I would be saying then that they would be complete in 1 month, 2 months or 3 months or whatever. It may be that the legal fraternity will wish to spend more time considering the various options and issues that are brought forward in that process and I am not prepared to stymie that discussion.

I urge honourable members to allow this process to continue. It is an extension of the legislation that was introduced in September and it will provide members with more information and a better opportunity to properly debate, later in this fortnight's sittings, a subject that has been well debated in the community during the last 6 months.

The Assembly divided:

Ayes 15	Noes 9
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Hanrahan	Mrs Padgham-Purich
Mr Harris	Mr Smith
Mr Hatton	Mr Tipiloura
Mr McCarthy	Mr Tuxworth
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

TABLED PAPER
Letter from National Crime Authority

Mr HATTON (Chief Minister): Mr Speaker, in response to a request from the member for MacDonnell, I table a letter from Mr Justice Stewart of the National Crime Authority to myself, dated 7 January 1987.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 83)

Bill presented and read a first time.

Mr HATTON (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

During the October sittings of this Assembly, I introduced the Police Administration Bill (Serial 33) and 2 cognate bills to address the particular difficulties faced by police in the investigation of offences arising from the clarification of the common law as set out in a High Court decision in R v Williams. While the Police Administration Bill (Serial 33) has since been withdrawn, the cognate bills amending the Bail Act and the Criminal Code remain. This bill, Serial 83, should be read in conjunction with those bills.

Honourable members will be aware that the original bill, Serial 33, was the subject of some controversy. I delayed passage of the bill and agreed to the formation of a representative committee of the police, defence and Crown law officers to consider the bill. Subsequently, certain recommendations were made to me by that committee. Essentially, the recommendations were that: (a) the fixed time criteria for the conduct of investigations prior to court appearance in the original bill be replaced by 'reasonable time' criteria with provisions setting out what factors should be taken into account in determining what is a 'reasonable period'; (b) there be provision allowing for the questioning of persons after charge and for their release from prison for those purposes in certain circumstances and upon certain conditions being met; (c) provisions requiring police to inform detainees of a right to have a relative, friend or someone likely to take an interest in the person's welfare informed of detention and for the tape-recording of the giving of information for serious offences - provided that police could refrain from the requirement

where there was reasonable grounds for believing the release of the information would result in the escape or alerting of co-offenders or the fabrication of evidence or, if the questioning or investigation were particularly urgent with regard to the safety of other people; (d) provisions be included requiring the tape-recording of confessions or admissions or later taped confirmation of such confessions or admissions where the person was suspected of having committed a crime, the penalty for which is 7 years or more, copies of the tape and transcript, if made, to be made available upon request, and a provision providing the court with a discretion to admit evidence not obtained in accordance with the provision in circumstances when satisfied that the evidence so obtained should be admitted; and (e) there be provisions reaffirming an accused's right to refuse to answer questions or participate in investigations reaffirming the Crown's onus in respect of voluntariness and the discretion ...

Mr LEO: A point of order, Mr Speaker! The Chief Minister is supposed to be delivering a second-reading speech on the bill which has belatedly been presented to the Assembly. So far, all I have heard is excuses about the failure of his previous legislation. Mr Speaker, I suggest that a very important speech, such as the second-reading speech relating to any legislation, should address itself to the bill before the Assembly at that time.

Mr SPEAKER: There is no point of order.

Mr HATTON: I will read (e) again for the benefit of honourable members: (e) there be provisions reaffirming an accused's right to refuse to answer questions or participate in investigations reaffirming the Crown's onus in respect of voluntariness and the discretion of the court to exclude illegally, improperly or unfairly obtained evidence.

The recommendations are laudable and I am grateful for the committee's work. The committee's recommendations, which drew largely from similar proposals to reform the law in Victoria ...

Mr LEO: A point of order, Mr Deputy Speaker! Mr Deputy Speaker, if you can control the chortling of the gargoyles opposite, I am prepared to present my point of order. If you cannot, I will have to raise my decibel level above their chortling. The Chief Minister is still not addressing the bill which has been presented to this Assembly. He has addressed almost every other subject, such as the negotiations which have taken place and the bill which he has had discharged from the Notice Paper. However, he is not addressing the bill which is before us.

Mr DEPUTY SPEAKER: There is no point of order.

Mr HATTON: Mr Deputy Speaker, I will start again.

The recommendations are laudable and I am grateful for the committee's work. The committee's recommendations, which drew largely from similar proposals to reform the law in Victoria - although I must say the recommendations of the committee were more practical and Territory-oriented in approach - were obviously subjected to very close scrutiny. No doubt honourable members will appreciate that, to such extent as is possible, any legislation dealing with the admissibility of evidence must be free from ambiguity and be capable of practical day-to-day operation so as to minimise the possibility of criminals avoiding conviction on what might be considered technical grounds.

While the common law in this area has stood us well, from time to time there is a need for adjustment by the legislature. So much is recognised by the courts. It is not for the courts to make the law; it is for parliaments. In relation to the matter before us today, I reiterate the remarks I made during the October sittings when I quoted from the joint judgments in Williams Case of Justices Wilson and Dawson:

> It would be unrealistic not to recognise that the restrictions placed by the law upon the purpose for which an arrested person may be held in custody have on occasions hampered the police, sometimes seriously, in the investigation of crime and the institution of proceedings for its prosecution. And these are functions which are carried out by the police, not for some private end, but in the interests of the whole community. Instances of legislative modification of the common law in recent times may be seen as reflecting a need which the common law no longer meets.

Despite what might be said by some opponents of this legislation, I sincerely believe that, if the common law is as set out in the judgment of the High Court - and I must accept that it is - then there must be legislative adjustment to address the difficulties highlighted by that decision as they relate to the proper investigation of crime. I believe so much was recognised by the court and it has most certainly been recognised by other parliaments, such as those in Victoria and South Australia, by various law reform bodies who have examined the issue, by the Lucas Committee and by the committee reviewing the Commonwealth criminal law, headed by the former Chief Justice of the High Court, Sir Harry Gibbs. I would also refer members to the inaugural Blackburn lecture delivered by Sir Harry Gibbs in which he recognised the need for legislative adjustment to the common law in this area.

Having made these background remarks, I will now speak more specifically to the bill before us. While the bill does follow, in some respects, the recommendations made to or by the committee reviewing the original bill, it does not pick up all of that committee's recommendations. There are good reasons why that should be the case. As indicated, the recommendations were subjected to close scrutiny. I needed, and necessarily parliament would need, to be satisfied that enactment of those recommendations in full would not lead to the unnecessary exclusion of otherwise credible evidence. All the appropriate checks and balances would need to be included and, apart from those recommendations specifically dealing with Williams Case, the issues raised, such as the use of tape-recorders and their effect, would need to be fully and properly considered and their practical operation assured.

I am also mindful that, for some time, the Northern Territory Police Force has been developing a package of reforms in relation to police powers. While the package addresses some of the reforms evidenced in this bill, and indeed matters such as the use of tape-recorders, there were other issues such as the implementation of compulsory identification parades, presence of legal representatives and next friends, which is already to some extent provided for in section 16(2) of the Bail Act, and the extraordinarily difficult issue of the so-called right of silence. These issues cannot be considered in isolation. That package of reforms must be considered carefully. If the reforms suggested are not in the public interest, they must be rejected. However, the issues cannot be ignored; they must be considered and I am determined that that consideration should have the highest priority.

I was faced with a most difficult decision. The Chairman of the National Crime Authority had written to me suggesting urgent legislative action to

address the difficulties faced by police as a result of a qualification of the common law in Williams Case. Clearly, the matter needed to be dealt with immediately. In most circumstances, the difficulties imposed by Williams Case do not cause problems. Obviously, however, in relation to serious violence - for example, murder, rape - or where multiple offenders are involved or when offences occur in remote communities where there are associated problems of geographic and climatic conditions and an obvious lack of police resources, in the community interest there will be an obvious need, to carry out further investigations and for that purpose to detain a person for a reasonable period for questioning or while further investigations are being carried out.

Accordingly, I have accepted advice given to me and am prepared to propose legislation overcoming the Williams decision, considering there to be an urgent need for such legislation. Further, in my view, the proposals do no more than set out what in effect was the established practice in the Northern Territory prior to Williams Case. As indicated in the October sittings, in 1976 the then Senior Judge of the Supreme Court of the Northern Territory, Sir William Forster, laid down guidelines for police in the following terms:

> Even when an apparent frank and free confession has been obtained relating to the commission of an offence, police should continue to investigate the matter in an endeavour to obtain proof of the commission of the offence from other sources. Failure to do this may lead to rejection of confessional records of interview ...

R.V. Anunga and Others 1976 (11.ALR.412)

The need for legislation cannot be doubted. What would be society's reaction if persons who act as did the Hoddle or Queen Street killers in Victoria or the Birnies in Western Australia or Joseph Schwab in the Northern Territory were to take advantage of what I consider to be deficiencies in law as identified in Williams Case?

However, I am mindful of the calls for safeguards such as those contained in the committee's recommendations and as called for by the various law reform bodies. Parliament is faced with a dilemma. The issues raised in relation to the safeguards are exceedingly complex. As indicated, we must be certain, consistent with the interests of justice, that otherwise credible evidence will not be excluded from evidence placed before the court or jury. For the new legislation to be effective, it must have the maximum of practicality and the minimum of technicality. To delay introduction of this legislation, which in my opinion does no more than legislatively endorse what had been the interpretation of the common law prior to Williams Case until such issues as the use of tape-recorders have been resolved, would not be in the public interest. Further, as I have said, the safeguards issue should also be considered in the wider context of a police package of reforms to be considered in the near future.

I turn now to the provisions of the bill. Clauses 1 and 2 are formal. I should point out that it is my intention that, if the legislation is passed, it will be commenced as soon as possible. Clauses 3, 4, 5 and 6 obviously involve deletions from and adjustments to the principal act in relation to the requirement that is at the crux of the issue. That issue is now dealt with in accordance with the new provision introduced by clause 7.

Clause 7 establishes a new division setting out what will be the new provisions in relation to bringing arrested persons before a justice or a

court and to the questioning of arrested persons. Before proceeding, let me dispel any concerns that the new proposals allow for the detention and questioning of persons without there being an arrest. The new provisions do no such thing. For a person to be detained, there remain the usual criteria as set out in part VII division 3 of the Police Administration Act or as set out in other relevant legislation where police are given powers of arrest or detention.

Proposed new section 136 makes it clear that the provisions do not relate to protective custody detention. Proposed new section 137 restates the general principle and establishes that police may hold persons taken into lawful custody for questioning or while investigations are being carried out to obtain evidence of or in relation to an offence, whether or not it is the offence in respect of which the person is taken into custody. The provision should be read with proposed new section 138 which sets out the criteria which must be taken into account in determining the period for which the person may be detained prior to court appearance unless, of course, the person is earlier released or bailed.

Before passing to proposed new section 138, I will explain why a detained person might be questioned in respect of offences other than the one for which that person was taken into custody. It is fairly simple, of course: a grievous harm inquiry may turn into a murder inquiry if the victim should die; a suspect may make admissions in respect of other offences; and evidence, for example fingerprints, might show a suspect's involvement in other offences. Obviously, the offences could not be ignored.

I turn now to the proposed new section 138 which sets out the criteria which must be taken into account in determining what is a reasonable period during which a person may continue to be held for questioning or to enable investigations to be carried out. The criteria are many and varied. They take into account such matters as complexity of offences, numbers of offenders and witnesses and the geographic and climatic conditions which prevail in the Northern Territory. The list is not exhaustive, neither should it be, for it would be impossible to anticipate every situation which might affect the course of an investigation.

Those honourable members who have researched this matter will know that the provision draws upon the legislation recently introduced into the Victorian parliament. That legislation adopts a 'reasonable period' approach rather then the fixed time approach in the existing Victorian law which was proposed in the Territory's original bill. The legislation before this House draws also upon the comments made in respect of the Victorian legislation by the committee reviewing Commonwealth criminal law.

MATTER OF PRIVILEGE

Mr EDE (Stuart): Mr Deputy Speaker, I rise on a matter of privilege to which I request you give your consideration. It is my understanding that, during the course of the previous debate, the Chief Minister said, in his final statement, that the legislation as originally provided to us was basically the same legislation as is now being provided to us and therefore we had had adequate time to examine the various issues, take them out to the community and form a reasonable and sound judgment of the bill. The Chief Minister has now shown that, at that stage, he was misleading the parliament because he has now gone through clause after clause which has demonstrated to us the differences between the previous and current bills. That is a clear demonstration that, within the course of a matter of hours, the Chief

Minister, in the debate on urgency, seriously and grossly misled this House. That is a clear case of a breach of privilege and I ask that you refer it to the Privileges Committee for its determination.

Mr DEPUTY SPEAKER: I do not intend to refer it to the committee. There is no question of breach of privilege.

Mr HATTON: Mr Speaker, those honourable members who have researched this matter will know that the provisions draw on the legislation recently introduced into the Victorian parliament. That legislation adopts a 'reasonable period' approach rather than the fixed time approach in the existing Victorian law and as was proposed in the Territory's original bill. The legislation before this Assembly draws also on the comments made in respect of the Victorian legislation by the committee reviewing the Commonwealth criminal law. It is an extraordinarily difficult question as to whether to adopt a fixed time or a reasonable time approach to the issue of questioning after charge. Approaches and recommendations throughout Australia have varied. Obviously, the 6-hour rule in Victoria proved unworkable, particularly in relation to violent crime, and a reasonable time approach has now been adopted there. Originally, in the Territory, we chose the fixed time approach, clearly for much longer periods than apply in Victoria, but necessarily taking into account the particular needs and difficulties of the Territory. It is interesting to note that, in the United Kingdom, a person may be held in detention for up to 48 hours before appearing in court. It may be that we in the Territory will have to revert to a fixed time approach if the reasonable time approach proves unworkable. We are breaking new ground and therefore we must be willing to act quickly to remedy any defects which may come to light in relation to the legislation.

There will be those who say that a reasonable time approach allows for indefinite detention. That is simply wrong. Determination of what is a reasonable time is beyond police control. It is a matter for the courts. Quite apart from the fact that our police would not use the provision in such a way, the courts simply would not tolerate such use.

Some honourable members may have concerns that, while our legislation follows the Victorian approach in relation to 'reasonable time', it does not pick up the Victorian provisions in relation to the tape-recording of interviews nor, for that matter, the committee's recommendation. Firstly, let me say that, of all jurisdictions in Australia, perhaps it is in the Northern Territory that the most frequent use of tapes and videos is made by police. That they are valuable investigatory tools cannot be doubted. Their use is actively encouraged. But it is one thing to encourage their use and another to make their use mandatory. Would society accept the risk that, if a tape-recorder broke down or a police officer forgot to turn it on, otherwise credible evidence of serious crimes should be lost? What conversations should be taped? Should a police officer tape every discussion he or she has with a member of the public just in case an admission is made which a person may not subsequently wish to confirm? Should we have different rules for Darwin and remote communities where the availability and workability of sophisticated electronic equipment is much less?

Mr Speaker, I should also point out that, while the committee made recommendations in respect of tape-recordings, it also recommended that the provisions in relation to tape-recordings should not commence operation at the same time as other amendments. Further, it was recommended that the viability of the use of tape-recorders should be tested first by the introduction of pilot programs. I rejected that approach on the basis that I do not consider

it appropriate that this Assembly pass legislation which, in may respects, would be experimental, would require pilot programs and would more than likely be subject to extensive amendment before commencement.

Mr LEO: A point of order, Mr Speaker! The Chief Minister has suggested that this Assembly is in some way controlled by his notion of experimentation. It is within the powers of this Assembly to pass whatever legislation it sees fit, experimental or otherwise. My point of order is that it is not up to the Chief Minister to dictate the terms under which legislation is presented to this parliament. He may feel that he is master of the lickspittles that sit behind him ...

Mr SPEAKER: The honourable member will withdraw that remark.

Mr LEO: I withdraw, Mr Speaker, but I can assure you that he is not my master.

Mr SPEAKER: There is no point of order.

Mr HATTON: I repeat that I rejected that approach on the basis that I do not consider it appropriate that this Assembly should pass legislation which in many respects would be clearly experimental, would require pilot programs and would more than likely be subject to extensive amendment before commencement. In that regard, honourable members familiar with our criminal laws would note that, under the committee's recommendations ...

Mr Leo interjecting.

Mr SPEAKER: Order! The Chief Minister will resume his chair. I have been fairly tolerant of both the member for Stuart and the member for Nhulunbuy but I think, in fairness, that the Chief Minister deserves to be heard in relative silence. Both honourable members will have adequate opportunity to debate the legislation when their time falls due. I would ask them to remain silent.

Mr HATTON: In that regard, honourable members familiar with our criminal laws would note that, under the committee's recommendations, the requirement that a confession or admission be taped for crimes, the penalty for which is 7 years or more, would have extended to shoplifting offences. While, obviously, that would not have been the committee's intention, perhaps it demonstrates the likelihood of changes that would have been required. Unfortunately, we live in a world where a smart criminal, familiar with the laws of evidence, will make use of those laws of evidence to avoid detection. Consequently, technical requirements must be kept to a minimum.

I do not believe the answer is simply to allow the court discretion to include evidence otherwise unlawfully obtained. The courts are understandably reluctant to use such a discretion. I am sure every member here knows how frequently sophisticated equipment breaks down. Indeed, it is now a general excuse that the computer is down. I think such a provision in relation to tapes would place too large a burden on the courts.

I should also touch upon the issue of cost. Presumably, each police officer would need to be issued with tape-recorder and tapes and those who suggest that a $45 K Mart special is all that is needed should think again. Further, what should the police transcribe? Everything that is taped? Would they be criticised for not transcribing something which, at the time, was not considered important but which subsequently turned out to be so? The cost of

transcription is enormous. Cost estimates for court transcripts vary between $10 and $20 per page. How many extra staff would be required to prepare transcripts, proof read them, store them and so on? While I am not walking away from the issue, I simply point out the enormous problems which must be considered before legislating in this regard. I am anxious to talk to the Commissioner of Police about pilot programs and designs for the practicability of the use of tapes. It may be that a more realistic approach will be the use of police guidelines to further encourage the use of tapes.

Another feature of the Victorian legislation which is not in ours is the statutory entitlement to a legal practitioner. Again, I do not believe this issue can be considered in isolation from the right to silence or, for that matter, the wider package of reforms which the police are likely to propose. I note that such a provision was not the subject of the committee's recommendations and, of course, I suspect that the delays caused in waiting for a lawyer to attend in remote communities - if he could be persuaded to go to the assistance of a person being questioned - may not be in anyone's interests. Honourable members will note that the matter of legal practitioners is already dealt with to some extent in section 16 of the Bail Act.

I note that the committee made recommendations in respect of the notification of relatives or friends of a person in detention. I have not included such a provision although I encourage police use of the practice. Although not strictly relevant to this issue, I understand positive steps have already been taken to allow regular visits to prisons in remote communities and in major centres by appropriate persons interested in the welfare of prisoners. I should point out that the absence of such a provision in the legislation does not in any way detract from the operation of the Anunga Rules. In real terms, the legislation will not result in the lengthier or increased detention of any persons.

At this stage, I have also rejected recommendations in respect of statutory mention of the right to silence and the court's discretion to exclude unfairly and improperly obtained evidence. Those provisions do no more than restate the common law and I consider their statutory reinforcement at this time will detract from the debate which must ensue on the wider issues.

For the convenience of honourable members, I should point out that the differences between the original bill and this bill are that, whereas the original bill contained a fixed time provision, the new bill contains a reasonable time provision. Further, new 141 of the original bill, which was the subject of much controversy and which was designed simply to bring the Territory law into line with the English law as espoused in R v Sang, has been deleted. Clause 8 is simply a savings clause.

Before closing, I restate that it is my intention that the legislation be scrutinised closely. I will be establishing a committee to review the operation of the legislation and to consider the wider issues. I have invited persons concerned with the operation of the criminal law to serve on that committee. I look forward anxiously to the committee's recommendations. I will also be monitoring developments closely in other jurisdictions. It would be desirable that, to such extent as is possible, there be uniformity on the issue throughout Australia.

Finally, I will quote from a passage in discussion paper No 3 of the committee chaired by Sir Harry Gibbs which is reviewing the Commonwealth criminal law:

> The criminal law strikes a balance between the protection of personal liberty and exigencies of criminal investigation. There is a strong argument in favour of the view that the common law and its statutory equivalents, as now interpreted by the courts, unrealistically fail to give due weight to the latter consideration, with the consequence that, if the law were strictly enforced, the proper investigation of crime would be likely to be seriously hampered and offenders would be likely to escape justice.

This legislation seeks to address the problem. Mr Speaker, I commend the bill to honourable members.

Mr SMITH (Opposition Leader): Mr Speaker, I want to take a somewhat unusual step and respond immediately to this bill on behalf of the opposition. I do not want the government to be in any doubt whatsoever about where the opposition stands in relation to this bill. As a result of its outrageous performance this afternoon, its failure to follow the basic proprieties in this House for a start and inform independent members of the parliament of what was going on, and its failure to provide the people of the Northern Territory with an adequate opportunity to canvass what, in fact, have been very substantial changes to the original legislation, I want to tell the members opposite that the opposition will fight this bill every inch of the way, both inside and outside the parliament. I want them to have no illusions about that.

Mr Speaker, if life becomes uncomfortable in here over the next 2 weeks, the members opposite may ...

Mr Hanrahan: Not by your bloody ...

Mr SPEAKER: Order! The Leader of Government Business will withdraw that remark.

Mr Hanrahan: I withdraw, Mr Speaker.

Mr Ede: Make him stand up and say it.

Mr SPEAKER: Order! The honourable Leader ...

Mr HANRAHAN: I withdraw completely.

Mr SMITH: The members opposite may well think back to today and the problems that they have caused themselves and the disrepute into which they have brought this parliament.

What we have here is a basic issue of civil liberties, not an issue of police powers. Members on this side of the House do not resile from the fact that, from time to time, the police need extra powers in order to do their work properly. We are as concerned as anybody else that, because of weaknesses in the existing law, the police may well be forced to let go people who should be charged for particular offences, but that is not the point here. We would be prepared to debate this issue in a logical manner. Given proper time to debate these issues, we would be prepared to seek reaction from the community. That is what members of the community want. They have 2 concerns: the first is concern for the police and their adequate powers and the second is the concern that they have about basic civil liberties issues and their own protection against possible abuse of police powers.

Let us not pretend that that does not happen. To appreciate that there is a prima facie case that something may go wrong in respect of the police from time to time, one had only to listen to the report given on 4 Corners last night. There was a prima facie case there that I have no doubt will be examined by the Fitzgerald Inquiry or somebody else that 6 policemen, some of them very senior policemen indeed, may well have conspired to fabricate evidence against James Finch and, as a result of that, James Finch may have well have spent 15 years of his life in jail. That is the sort of civil liberties issue that people are concerned about, and that this government is prepared to ignore.

Late last year, the government was prepared to recognise the civil liberties issues. It was prepared to say to lawyers and other people out in the community: 'Hold on, there may be something wrong with this legislation. Let's get together around a table and debate it'. As I said earlier today, for 3 long days those separate groups met around a table and debated this issue. The people involved were Crown law, the police, criminal lawyers and the Aboriginal Legal Aid Service. As I said in a previous debate, the government did something that was quite remarkable in the history of the Northern Territory; it managed to agree on a compromise package on how the legislation should proceed. That was a remarkable achievement. It took it 3 days to do it but it was a compromise position that was agreed to by all. It was a compromise on the part of the police because they agreed that, in return for their extra powers of detention, there would be some safeguards. It was a compromise by the criminal lawyers and the legal aid service in that, in return for the safeguards, they agreed to provide the police with extra powers of detention. What we have had since then is the government, unilaterally and without reference back to the group, removing every one of the safeguards that were agreed to. Every single safeguard that was agreed to at that meeting has been taken out.

Mr HANRAHAN: A point of order, Mr Speaker! Will the Leader of the Opposition repeat what he had to say about the 6 Queensland policemen outside the House?

Mr SPEAKER: There is no point of order.

Mr SMITH: It is getting desperate for you, isn't it.

Mr Hanrahan: No, but repeat it. Step outside the Assembly and say it.

Mr SMITH: Mr Speaker, without consulting the group of people involved, the government has rejected the compromise position that was reached after 3 days of argument. How can one not expect people in the community to be concerned when that happens? Those people went to those discussions under some pressure from their own people, particularly on the legal aid side and the criminal lawyers' side, not to make substantial concessions on the matter of police detention powers. They made substantial concessions and reached a compromise agreement that was suitable to everybody and yet the government pulled the rug from under their feet 2 months later.

I will not be surprised if the people who demonstrate the most violent reaction to this legislation in the next 2 weeks are those very people who went to that meeting and were betrayed by this government afterwards. How dare this government treat like that professional people who, in good faith, sit down and work out a compromise position that suits everybody? How can this government expect to get respect from anybody when it behaves in that fashion with a group of people like that? That is the core of the problem

it is going and what it needs to do. While that may be an important thing to do from time to time, the problem is that we have had 4 of these exercises in the last 2 years. As people said to me on leaving the meeting: 'What was all that about? We have done that 4 times! Eric Poole came to the last one. Didn't he tell them what happened? What is going to happen as a result of this one?'

Towards the end of the evening, some quite constructive material came out of the discussion about what needs to happen around Tennant Creek and what Tennant Creek people need to do. However, the essence of what is concerning people has certainly been missed by those involved in running 'Towards 2000'. They are wandering through the Northern Territory saying to communities such as ours: 'Tell us where we are going to be in the year 2000'. That is a pretty unreasonable question to ask tourist operators in Tennant Creek, Darwin or anywhere else. People went to the meeting to find out where the government thought tourism would be in the year 2000 so that they could do those things that were necessary to capitalise on the government's initiatives. Quite clearly, the people organising 'Towards 2000' believe that we will continue to grow at about 7% to 10% per annum for the next umpteen years. They seem to like to know what people think about that and what we are all intend to do to lift our games.

The reality is that, if people in small towns such as Katherine and Tennant Creek are to cater to the market, they need the government to tell them what its expectations are concerning the market. I would like to expand on that for a moment because it is an important issue. It will decide whether we should proceed casually or decide that, in the year 2000, we will be umpteen miles down the road. In 1979, the government of the Northern Territory said: 'We have 180 000 tourists coming here. It is not many but, if it grows at 10% per year, in 10 years' time, we will have 360 000. That is not many people considering what is occurring elsewhere. We really have to lift our sights and attract 1 million people'. The industry said that was a pretty tall order to achieve by the year 1991. The whole tourism community, including the government, business and the tourist bureaus, then set about making sure that 1 million people could have a good stay in the Northern Territory in the year 1991. We made a list of airports, runways, motels and hotels. We created parks and we built a road to Ayers Rock. Hundreds of things have happened in the ensuing years to ensure that all the people that came had a good stay.

I believe that we will attract 780 000 tourists this year and that we are pretty well on target for 1 million by 1991. The million by 1991 is terrific; it is what we set out to achieve. This trend did not simply happen of its own accord. I know that the former Chairman of the Tourist Commission, now the member for Araluen, would say that it happened through damn hard work by many people, including himself. He says he did it by himself and I am pleased that he did. My point is that, when the government stated the goal it wanted to achieve by 1991, it created a momentum for industry and everybody else. People realised that they needed each other. The airlines needed the buses, everyone needed computer systems and an overall approach had to be developed. Some of it was a bit hairy, but we got there.

I agree with the government that we need to be deciding now what we will achieve in the year 2000. We should not, however, be doing it by walking around the Northern Territory asking little tourist operators in Tennant Creek and Katherine what they reckon we ought to do. The people involved with the 'Towards 2000' program ought to be telling the industry - small town operators, entrepreneurs, investors and the people who train staff - that our

next objective is 1.8 million visitors by the year 2000. We cannot double the million - that would be a bit too much to expect - but we can get 1.8 million. We should name the countries from which we believe we can attract visitors, identify the interpreting services, the motel facilities and the whole range of things that have to happen. I am fearful that we have now slipped into a very comfortable stance, believing that we will attract 1.1 million visitors by the year 1991 and feeling all warm inside about that, thinking that we can continue to grow by 10% each year without much effort.

We can send out caravans and arrange fairs to help people feel warm inside but investors and the entrepreneurs want more than that. No one will build caravan parks and develop tourist facilities on the premise that we might increase tourist visitation by 10% a year for the next 10 years. That is the sort of mentality that we experienced for 70 years under the Commonwealth: add 5% per year and live with it.

I say to the minister: let us be adventurous. Let us set a figure for the year 2000. Let us identify where the visitors will come from and how we will handle competition from the eastern states. They have really come out of their shell in the last 5 years. When Yulara was planned, it was something out of the 21st century. All over Australia, people in the industry said: 'You are crazy. You will go broke'.

Mr Coulter: You have been saying that for the last 2 years.

Mr TUXWORTH: It is going broke. It doesn't stand on its own.

Mr Coulter: With 5000 tourists a day?

Mr TUXWORTH: I am happy to have that debate with the honourable member any time he likes, but now I want to get back to my point.

Mr Finch: You are a doomsday merchant.

Mr TUXWORTH: No, a financial realist. I will debate it with the Treasurer whenever he likes.

Mr Coulter: All right.

Mr TUXWORTH: What I am saying is that we no longer have the comforting knowledge that we have one of the best tourist facilities in the country, one which people will flock to.

Mr Coulter: There isn't another Ayers Rock.

Mr TUXWORTH: That is true, but there are many people building first-class facilities all around Australia and these are giving our promoters heaps of competition. The Treasurer's interjections indicate that he ought to talk to the tourist operators, the promoters and the people selling the tickets and see how tough it is in the marketplace when your beds are $20 to $40 dearer than those in places on the east coast which have a sea view and rolling sands in front of them.

Mr Coulter: I spoke with the Sheraton people today.

Mr TUXWORTH: Mr Speaker, the Treasurer talks about the Sheraton people. If the Sheratons in the other parts of Australia were our only worry, we would be blessed. But there are some really first-class tourist developments

springing up all along the east coast and we will have to compete with them on really tough grounds. We have to ask not only how we can get into the international market and attract more overseas visitors, but how we intend to protect our position against competition from elsewhere in Australia. That competition is pretty formidable and to pretend for 1 minute that it will not become tougher and tougher will be to do ourselves a great disservice.

Mr Speaker, I don't raise this matter in order to be critical of the government. I think the 'Towards 2000' idea of the show-and-tell is really good because it stimulates people's thinking. However, we have to turn it around so that the people involved in the exercise are telling the industry what they believe it needs to do on the ground to cater for the numbers of tourists who are to be attracted to the Northern Territory. One of the statements made the other night at the forum was that we would look at that as we went along. It might be a reasonable proposition for the people who are running it to look at it as they go along and report back to the government in a year or so. However, the investor, the guy who will have a go, needs to have an idea now. If the level of our thinking is that we will grow 10% a year steady as she goes, let's have that clearly stated so that everybody knows where we are going. If we have a bigger objective to which we can all make a strong contribution, let's identify that. It is also important for the industry to know what the object is so that it can say to the people involved in 'Towards 2000': 'We think that is a bit unrealistic' or 'To do that we would need to achieve these things'.

I believe that the points that I am making are pretty reasonable. The discussion that was held the other night with the visit of 'Towards 2000' was mostly positive and I believe that we should continue the exercise. However, it would be a tremendous help for everybody involved in the discussions if the government could say that it would aim for a target of, say, $1.8m for the year 2000 as its objective. People could then talk about what would be needed to make that possible.

Mr Speaker, let me tell the minister that I welcome the caravan going through. Most people thought it was worth while because so many people turned up - at least 4 times more people turned up in Tennant Creek than in Darwin. People are interested and a lot of good could come out of it. However, we need to ensure that we are all heading in the same direction. At the moment, the people on the ground are looking for leadership in terms of the objectives that we are trying to achieve, and that is not there yet. If it is going to come, perhaps that could be made obvious to people in the industry at an early stage so that the objectives become the main subject of discussion rather than what is wrong and what we need to do to improve our performance to date.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, in the adjournment debate this afternoon, I would like to draw attention to what I consider to be some very unfair anomalies in relation to our justice system and also to point out some deficiencies in the Royal Darwin Hospital.

Some people may say this matter is sub judice. I am not commenting on the content of the charge, but I mention the fact that a certain police constable, who has been charged with the alleged commission of a serious crime, had his pay stopped by the Chief Minister. This policeman had the support of the Police Association which, through its spokesman, said: 'The decision of the Chief Minister to stop this constable's pay offends the principle of innocence until guilt is proven in court'.

I spoke with the Secretary of the Police Association and my views were the same as his. He said, and this was also in the NT News, that 'a written plea for the decision to be reversed from the NT Police Association General Secretary, Mr G. Carter, was refused by the Chief Minister'. One might argue that the constable was accused of a certain crime and therefore he would not be a fit and proper person to be receiving pay as a police constable. I am not arguing the justice or otherwise of the laying of the charge against him for the alleged crime. I would like to point out the anomaly between the suspension of his pay while 3 senior public servants, also accused of crimes, have not had their pay suspended to my knowledge. I wonder if there is 1 rule for senior public servants and another for public servants on lower rates of pay.

Without going into detail, I mention a magistrate who was accused of a certain crime. I believe the magistrate resigned but I do not remember that the Chief Minister cancelled his pay. A senior public servant was also accused of a certain crime in relation to a protest in which you yourself, Mr Deputy Speaker, were allegedly involved outside the Assembly. That senior public servant, who is connected with the Sacred Sites Protection Authority, did not have his pay suspended to my knowledge. Another senior public servant, who was the Chief Minister's speech writer at one time and who had been seconded from the Darwin Institute of Technology, was accused of a serious crime, and I believe court proceedings followed. To my knowledge, that senior public servant did not have his pay suspended. There are 3 cases of senior public servants who were accused of allegedly committing certain criminal and civil offences and who did not have their pay suspended - yet Constable Martin Breen has had his pay suspended. The Chief Minister seems to have 1 rule for senior public servants and 1 rule for public servants who are on lower rates of pay.

Mr Deputy Speaker, I will not go into detail about what I consider to be the unfairness of Building Board inspectors with regard to inspecting the dwellings of my constituents. I believe that many of those inspections were nitpicking exercises. My constituents have been the subject of quite a number of inspections by Building Board inspectors for some time. People received notices as to why their dwellings were not up to scratch - they had to submit written reports and ask for extensions of time to remedy the situation. One could say that this points up the fact that this Northern Territory government is very careful about how people are living in the Northern Territory and they would like to have all dwellings up to code and up to scratch.

For the information of honourable members, there is 1 building in Darwin which one would expect to be 100% safe for the inmates. It is not safe; it is very unsafe. I refer to the Royal Darwin Hospital. The hospital has no fire sprinkler system in it. It has a smoke detector system but it has no fire sprinkler system. I understand that plans are afoot to install a sprinkler system at a cost of several million dollars but, at the moment, it does not have one.

I believe it is compulsory for all nursing staff to view a film entitled 'Do Hospitals Burn?'. A well-respected and experienced sister who works for the Department of Health has assured me that, when she saw that film, she cried. She is not an emotional or a soppy person. That film illustrated what can happen when a hospital burns. The sprinkler system is not in the Darwin Hospital and therefore what she saw in that film could happen. I have not seen the film but I take her word on what she saw. The Royal Darwin Hospital has this grave lack of safety yet the Building Board inspectors ...

Mr Finch: Untrue.

Mrs PADGHAM-PURICH: It is unsafe in that it has no sprinkler system. Meanwhile Building Board inspectors have harried and harrassed my constituents because their dwellings might not be up to code because the roofs were not screwed down or the houses did not have the required supports.

While I am on the subject of the Royal Darwin Hospital, I will not comment on the subject of the maternity wing and psychiatric patients hijacking babies. However, because of that, if I were expecting a baby now, I certainly would not have it in the Royal Darwin Hospital. It has always amazed me that the intensive care section and the operating theatre, which house patients needing the most care, should be the farthest away from evacuation exits in the event of a fire. No doubt, the people who design hospitals have a perfectly good reason but I fail to comprehend it.

Mr Deputy Speaker, I simply draw attention to those anomalies that I have mentioned today: the cessation of pay for a police constable accused of committing a crime as against the continuance of the pay of 3 senior public servants accused of crimes, and the anomaly between the Building Board inspecting my constituents' houses - and a certain nitpicking exercise incorporated in those inspections - and the gross deficiency in the Royal Darwin Hospital fire protection system.

Mr EDE (Stuart): Mr Deputy Speaker, coincidences do happen. Both the member for Koolpinyah and myself chose the same subject for an adjournment speech tonight: the case of Senior Constable Martin Breen. I had dealings with Senior Constable Breen. At one stage, I lost a wallet and I reported that to him. I found him to be very efficient and quite the best type of policeman that the Territory produces. However, that has nothing whatsoever to do with what I wish to say tonight.

I too had intended to raise the difference in attitude that the Chief Minister has displayed with regard to Senior Constable Breen and the magistrate. I also intended to mention the speech writer. I had not thought of the other instance, that of the head of the Sacred Sites Protection Authority because, as you and I know, Mr Deputy Speaker, that was a trumped-up charge which was eventually dismissed. However, that bears no relevance to the actual and essential point which is that those 3 people were granted the basic tenet of British law: they were deemed to be innocent until proven guilty. They were allowed to continue to receive their pay until such time as the charges were either proven or dismissed as, of course, was the case with regard to the head of the Sacred Sites Protection Authority.

Senior Constable Martin Breen does not enjoy the benefit of that principle being exercised on his behalf. He sits without any pay, not being able to bring forward the case brought against himself and so prove his innocence or have a judgment made as to his guilt. It would appear that the Chief Minister has already made that decision, at least in part, and has prejudged the case in that he has decided that there is at least some degree of guilt and so has cut Martin Breen off from his means of earning his living.

Mr Speaker, I worry about the trend that is evident in the attitudes of the Chief Minister. I wonder whether he had a change of life or whatever around the beginning the new year and decided suddenly to change from being what was a fairly reasonable, liberal Chief Minister and to join instead the forces of, dare I say it, oppression. I believe that we can look at what the Chief Minister has done in regard to Senior Constable Martin Breen in the same

light as we can look at the legislation he is attempting to ram through the Assembly at present. Of course, I will not go into that in more detail because, Mr Deputy Speaker, you would very rightly tell me that such a discussion would be in breach of standing orders. However, I believe that the connection in terms of the change in the attitude of the Chief Minister is there for all to make.

As the member for Koolpinyah said, it is a most regrettable incident and it is only left for me to call on the Chief Minister to reverse his decision. He has been requested to do so by Senior Constable Breen's union and to reinstate full pay and conditions with back payment to the time when the suspension took effect.

Mr Deputy Speaker, the other point that I wish to raise tonight is, once again, the perennial problem of water supplies in my electorate.

Mrs Padgham-Purich: At Soapy Bore.

Mr EDE: I thank the member for Koolpinyah for that interjection because I would like to provide honourable members with the news that, when the school opened this year and as of a couple of days ago, the school at Soapy Bore still had no water.

Mr Collins: How do they operate?

Mr EDE: If that were the situation in any school in the electorates of the honourable members opposite, there would be an outcry.

The member for Sadadeen asks how they operate. They operate with an incredible degree of difficulty. They are unable to teach basic hygiene in the school or to carry out basic washing etc. People have to traipse off down the hill, down over the sand dunes, to a tap some hundreds of metres away to obtain buckets of water. They bring these up to fill the trough so that children can be encouraged to wash their hands in it. If they wish to have a drink of water, they have to leave the confines of the school area and return to the outstation to obtain one. There they encounter the obvious distractions of things that are going on in that area which often cause young children to dilly-dally a bit and not receive the full benefits of the education offered at the school.

It is outrageous that, after all the discussions and the number of times I have raised the matter in this Assembly, the school at Soapy Bore still does not have a water supply. But it is not the only one. I made a fuss quite some time ago about Tara at Neutral Junction Station when the water levels were dropping and it was becoming impossible for that community to get water. After a considerable amount of hassle, finally we had a drilling team out there to find water at Donkey Creek where the community advised that it would be found. The community still has not had that water connected and all we are told is that it is on a design list somewhere.

How long does it take for a project to move from a design list into construction? We know that, in some cases, it can take years and years. Projects can languish on design lists, as I think the member for Sadadeen will find with the extensions to Sadadeen Senior High School. I certainly endorse the question that he asked this morning on that particular issue because I am most incensed that that school will not be able to have its extensions completed when, obviously, the numbers will go over the plateau at which they should be provided. The community at Tara will have to wait and somehow cope

with substandard water, and very little of that, until such time as the minister, in his grace, decides to take this project from the design list and move it forward to construction.

I have spoken about Anningie time and time again, and still the honourable minister has refused to give us a copy of the consultant's report which, I am told by his predecessor, demonstrated that a Mexican dam would not work. I fear that he has almost broken the back and the will of that community to survive. Those people have fought this battle for over 4 years now since they got the shelters up there and, before that, for a period of some 6 to 7 years to my knowledge. I am afraid that he has finally broken their will and the community will probably collapse. The hundreds of thousands of dollars of investment that has already been put in there will be wasted of course. No doubt, the minister will not lay the blame at the government's door but will blame the community for that when they attempt to have something developed at Anningie Waterhole or wherever they have to move.

I was rather incensed - actually, it was more like being belted across the back of the head with a wet sheepskin - when the member for Braitling moved from his normal, apolitical position and made a statement in the press to the effect that somehow work schedules for various water supply projects had been leaked to me and that, with the benefit of those schedules, I was able to go in advance to the communities and tell them that I would fight to obtain those projects when, in fact, they had already been decided on by the government. I have got the word about the various ministerials on water supplies that I generate on behalf of my communities. In fact, it was quite interesting that, when I was out on the eastern side of my electorate last time, I heard the remark that they would have to get some accommodation organised because they know that, as soon as word gets out that I am out in some part of my electorate, water supply people trundle along within a matter of days trying to get things done.

I commend the government for that. I commend it when it gets things done speedily because, as we have stated time and time again, we all know that water is the fundamental aspect of health. Water is essential for good health. I have said it time and time again. I will not go into the 20:20 rule again, but I will raise one more example of where it is lacking. It is quite possible, indeed it is highly probable, that it is not the fault of the honourable minister responsible in this House. I believe that it is the fault of the Department of Aboriginal Affairs. Just to show that I will give that department as good a tongue as I give to the ministers opposite when they fail ...

Mr Coulter: Lake Nash?

Mr EDE: No, I am referring to Piccanniny Bore, a community just above Tanami. For a period of some 8 or 9 years, there has been a demand there for a water supply. First it was required from the point of view of the safety of people travelling along the Tanami track. When I came into the Assembly, I took the matter up both for that reason and for the sake of a group of old people who wanted to move down to Lajamanu to set up an area there. It took ages before we could find a water supply that was above all the WHO standards, but we could not have it connected. I think the member for Sanderson worked with me on this one. We found one that was set up for the road that was going through, and we had the hand pump installed. But I have been out there and that hand pump is the hardest thing that one would ever want to turn. It is certainly too hard for the old people out there, so we have kept up the fight for a windmill.

Mr Deputy Speaker, imagine my pleasure when, returning from a trip to the west, I came down through Lajamanu and the people told me to be sure to stop at Piccanniny Bore because, after all the battles, the windmill was in, the tank was in and they were all moving down on the Friday. This was on the Tuesday. They told me to go down there as a guest and to be the first person to drink the water. I charged down there. In the distance, I saw the windmill and the tank. I pulled up and went in. What did I find? The windmill and the tank were there all right but there was no connection from one to the other. There is nothing going down the hole to connect to the windmill and the people still have no water. Scattered around the edges for about 50 yards in all directions are pieces of rod, bits of pump, bits of pipe and bits of just about everything else. By the time the contractors come back, there will be nothing there for anybody to fix and it will cost another $10 000 to $20 000.

Mr HATTON (Chief Minister): Mr Speaker, I rise tonight to pay tribute to a fine man, well known to this Assembly and, indeed, to thousands of Darwinites. I speak of Richard Fong Lim who, sadly, passed away in December last year. Richard was born in 1932 in Katherine. He was a third-generation Territorian whose grandparents came here from Canton in the 1880s, during the gold rush days. Richard's father, George Fong Lim, was a tailor by trade and brought his wife Lorna and his family from Katherine to Darwin in 1938 when Richard was 6 years old.

As we all know, the Fong Lim family is an intrinsic part of Darwin's history. Throughout the 50-year period from 1938 to 1988, the family was in the vanguard of a process of cultural and community change. The Fong Lims were the first Chinese family to open a business in Smith Street. At a time when China Town was largely Cavenagh Street, in what was essentially a segregated town, George Lim bought a shop next to the Star Cinema and turned it into a success. The whole family worked hard for long hours and, with 4 sons and 5 daughters, there were plenty of hands to help. With the bombing of Darwin in 1942, the Lims were evacuated to Alice Springs where they ran a small shop and tailoring business for 3 years. When the war ended, they were among the first civilians to return to Darwin.

After leaving school, Richard entered the family's hotel business, helping to run the famous Vic Hotel until it was sold in 1965. He managed the Darwin Club for a number of years and was instrumental in opening Lim's Rapid Creek Hotel which was built in 1972. Richard was one of the hotel's 4 directors, together with his brothers Alec, Gerald and Arthur. It was Richard, though, who was essentially responsible for running the family business. Being a keen wine buff, Richard introduced, at the famed Lim's bottle shop, the most extensive range of wines and spirits available in the Territory. Locals used to take southern visitors to the shop and watch their amazement. As the saying went: 'If Richard didn't have it, then you couldn't get it'. Another of Richard's claims to fame, which has become a Darwin ritual, is the mud crab tying competition. Apparently, fed up with listening to the tall tales bandied about in the cage at Lim's as reconstruction workers from various states vied with each other in boasting about their fishing and crabbing exploits, Richard decided to put them to the test. The rest, as they say, is history. No doubt, many of Lim's customers had a yarn to spin, including some astonished drinkers who met the pub's pet carpet snake, Monty, at close quarters.

Richard is remembered with special fondness by many Darwinians who were here before Cyclone Tracy. When the cyclone hit in 1974, he played the good Samaritan to hundreds of local residents. With Lim's mostly intact and with

his wife, Dale, and a 3-week-old premature baby with him, Richard dispensed food, drink and shelter to people in the surrounding area, using the hotel's gas cookers and the ample supplies of Christmas fare stored in the freezers. Breakfast at Lim's became an institution and the Sand Pebbles Restaurant was a welcome retreat in the rubble. Such generosity was typical of Richard who unobtrusively gave a helping hand to many friends in time of need.

After Lims was sold in 1983, Richard took up a quieter life. He moved down to the old rice mill at the 18-mile, becoming 'Farmer Fong'. There, he maintained his interest in various properties. At Elizabeth River, he owned the only commercial coconut farm in the Northern Territory and he had a pastoral property at Marrakai. No doubt as a by-product of his addiction to auctions, Richard could claim to be Darwin's only private train owner. He purchased 2 trains with the idea of developing them into a tourist attraction in conjunction with his coconut plantation at Elizabeth River. As Richard would have said about so many items of bric-a-brac which he picked up, 'one day they will come in handy'.

Richard Fong Lim was highly respected by Darwin's business community and by his colleagues in the liquor trade. He was a publican in the best and truest sense of the word. Whilst he ran a tight ship, Richard was a gracious host. He knew a huge number of his customers on a first-name basis and he entertained with gusto, whether it was business or at home - not that they were far apart during his time at Lim's because he lived next-door. With Richard's love of cooking and people, even what he described as a quiet children's birthday party became a gala affair. During his years at the Vic, as manager of the Darwin Club and then as director of the Rapid Creek Hotel, Richard Fong Lim was well known to an entire generation of Territorians. That much was obvious at his funeral ceremony.

Richard Fong Lim died suddenly on 11 December last year, leaving his wife Dale and their children Pippa, Kikki, Richard and Angelina. To them and to his brothers and sisters and their spouses, Mary and Albert Chan, Eileen and Wally Beale, Doris and Norm Yeend, Alec and Norma Fong Lim, Isabel and Colin Stokes, Gerald and Anne Fong Lim and their families, I extend the heartfelt condolences of this Assembly. They may be assured that Richard Fong Lim is sorely missed and dearly remembered by those who knew him.

Mr Speaker, I wish also to pay tribute to another great Territorian, a woman well known to all members. I speak of Lou Stewart who passed away late last year at the age of 84. Aunty Lou was one of those remarkable characters that the Territory once seemed to attract in abundance. Her fierce independence, her no-nonsense attitude to life and her heart of gold were all the more exceptional in a woman of her time.

Born in the UK in 1903, Lou always boasted that she was born and bred a cockney. She hailed from a family of adventurers, her father being an officer in the merchant navy. In 1927, together with her 2 children and her sister Dorothy, Lou emigrated to Australia, landing at Fremantle. She was later joined there by her husband. After several years in Fremantle and an extended trip back to Britain during the 1930s, Lou finally wound up in the Northern Territory where she remarried. Darwin was to become her home, despite wartime evacuation and a penchant for travel.

One might speculate that it was Lou's experience of raising a family during the depression years, followed so soon afterwards by evacuation from Darwin, which clinched her lifelong concern for the underdog. Perhaps, too, those years steered Lou to take on any odds in fighting for the causes to

which she was committed. When it came to helping the homeless and jobless, Lou soon proved herself highly innovative, if sometimes irreverent, in finding ways to overcome obstacles that stood in her path. To illustrate what I mean, early on during the depression, Lou concocted a fictitious cattle property of which she was the owner. As such, she would provide references for jobless men who had supposedly worked on her cattle station. This was her way of helping them to find employment.

During the war, with her husband Curly away in the armed forces, Lou, who was pregnant at the time, made her way to Perth with her children Kath and Peter. There, horrified at the wartime housing shortage, she encouraged homeless families to move into the old, derelict base hospital. Before long, Lou was battling the bureaucrats to have power connected. So began the story of her life. After returning to Darwin in 1947, Lou managed to support her family by running various businesses, among them an open-air cafe opposite the Darwin Hotel.

While raising 4 children on her own, Lou still found the time to help those in need and to work for the betterment of the community. She was an inveterate lobbyist who never gave up on the causes she believed in and who showed no fear of going right to the top. In her crusade from the 1950s onward for better housing in the Territory, Lou Stewart beleaguered politicians and local officials. She wrote to the Prime Minister and she even petitioned the Queen. As a result, Lou can claim much of the credit for the establishment of the Northern Territory Housing Commission.

A prolific letter writer, the advent of talkback radio gave Lou a new medium through which to express her views. She took to the airwaves, becoming a familiar voice to Darwinians. She was instrumental in getting many projects off the ground which greatly improved services and facilities available to Darwin residents. For example, she helped to start the creche in Tamarind Park and played an important role in the setting-up of the pre-natal clinic at the old Darwin Hospital. In the early 1960s, Lou Stewart joined the Housewives' Association in Darwin and fought to improve the quality and quantity of fresh food available in the Top End. She stood several times in Darwin City Council elections and was active in the early days of the NT Society for the Prevention of Cruelty to Animals. Lou never did anything by halves. Her motto in life was 'do the right thing', long before it became the catchcry for Territory Tidy Towns.

One of Lou's great idols was Sylvia Pankhurst and, though she devoted so much time and effort in assisting women, Lou never considered herself to be in need of liberation. Anyone who knew Lou would have had to agree. After spending the last years of her life in great pain, Lou Stewart died on 5 December 1987 in Royal Darwin Hospital. On behalf of this Assembly, I pay tribute to a true Territorian and offer our condolences to Lou Stewart's children, Kath, Peter, Monty and Max and to all her family. Having given so much of her life to others, Auntie Lou will long be remembered for her strength and her indomitable spirit. The Territory is the poorer for her passing.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, this morning I was told in answer to a question regarding stage 2 of the Sadadeen Secondary College, that everything was under control and that it was initially a matter of 'don't you worry about that'. After operating as a high school for a number of years, last year the facility was converted to a secondary college catering for Year 11 and Year 12 students. The Department of Education demographer estimated that this year there would be 415 students. People within the

school had said that the figure would be higher. They were able to persuade the department to accept that 450 might be reasonable and to staff the college on that basis. A week after the commencement of the school year, when enrolments had settled down, it was clear that about 496 students were enrolled. The college was designed to hold 500 students and, of course, enrolments are now very close to that.

I alerted departmental officials to this and the school council, of which I am a member, also did that. I was told, and I was prepared to accept the advice, that there was no money in the kitty for major works and that the possibility of a closer interface with the Alice Springs College of TAFE was being examined quietly. Basically, I think that meant that, if there is a spill-over next year, it should go into the Alice Springs College of TAFE which is reasonably close to the secondary college. Although I was not madly wrapped in the idea, I accepted its inevitability because times were tough and we would have to make the best of it.

However, in the Saturday NT News, I saw a big announcement of $6m being provided for the on-again off-again Marrara stadium. That was at a time when there was talk about $300m being put into the redevelopment of Darwin and the government committing itself to rent considerable property to make that project viable. Mr Deputy Speaker, you can understand that I felt that the government was getting its priorities out of kilter. I said that I believed that the government's priorities were wrong. I challenged the Minister for Education to urge on his parliamentary colleagues that stage 2 of Sadadeen Secondary College should be built this year so that it would be available next year to take up any overflow that may occur. The figures strongly suggest that the college will be overcrowded next year. The minister said that all these matters were in hand.

I know that the design and construct stage of Sadadeen stage 2 is scheduled for 1991 and that it will be 1992 before stage 2 will be opened. I do not believe that that is good enough. The government has its priorities wrong. Reading between the lines, I believe that my former parliamentary colleagues would have been persuaded to make the Minister for Education the Deputy Chief Minister because the party had gone from 5 out of 7 members in that southern region down to 3 out of 7 and it needed strong representation there. The Minister for Education must do better than what he told me this morning. Suggestions that a couple of demountables can be slapped there until 1991 are not good enough. If there is money for a stadium in Darwin and some of the other priorities which people in the community are far from happy about, money must be found for stage 2 of Sadadeen Secondary College.

I have been involved with some of the people from the rural area in Alice Springs to the south of the Gap - it is not in my electorate - regarding the matter of local government and the expansion of boundaries there.

Mrs Padgham-Purich: Did you see my letter in the paper?

Mr COLLINS: I thought it was a very good letter and I agree with your sentiments.

The history of this no doubt relates to the fact that the Commonwealth government has said that more and more people must be drawn into the net of paying rates and taxes. That is something which has been imposed on the government and accepted. A committee under the chairmanship of Jeffrey Sutton - known to some of us as Uncle Jeff - was established. It produced a magnificent 4-page report which I had the pleasure of reading. It

that is great. However, there is an anomaly with these 2 station areas on the extremities.

I overheard someone suggest this morning that 7000 people are needed before a shire council will work. How on earth can community governments of 50 or 60 people be considered workable while a community with a population of 2000, including about 800 voters, will supposedly not work because it is under this magic 7000 limit? It seems that there is 1 rule for 1 group and a totally different rule for the other. I think these matters need to be addressed.

Mr McCARTHY (Labour, Administrative Services and Local Government): I rise, Mr Deputy Speaker, to make a few comments in relation to the extension of the town boundaries of Alice Springs and Katherine and to respond to points that have been made by the member for Sadadeen. In passing, I would refer to the letter that was written by the member for Koolpinyah and forwarded to an Alice Springs newspaper.

The extension of the Alice Springs and Katherine boundaries has been under discussion for quite some time and both councils made submissions to the former minister during last year. These resulted in a number of meetings which were well-attended by people from the areas proposed to be included in the extended boundaries. Of course, there has been some opposition and nobody would deny that. I do not believe that it will ever be possible to negotiate the extension of council boundaries without opposition. For whatever reason, everybody hates the council. Everybody kicks the council and that has been the case in both Alice Springs and Katherine.

The member for Sadadeen talked about an area outside Alice Springs with 800 voters. The former minister raised this subject a while ago. The Litchfield Shire extends for some 60 km outside Darwin. The area has a community of interest and its residents have been able to form a shire. It is a municipality, just like the municipalities of Darwin, Alice Springs and Katherine, but it is called a shire. There is no difference between a shire council and a municipal council; they are one and the same thing. The Litchfield Shire Council is based in a particular community. It has a community of interest and it would have been very difficult to administer such a community through the Darwin or the Palmerston Councils. It is not realistic to liken that community to Temple Bar and White Gums which are to be included within the Alice Springs boundaries. Both areas have been developed and subdivided. People are living there on fairly substantial blocks.

The member for Sadadeen asked why Amoonguna was excluded and why it could have a council of its own. Amoonguna has a community of interest. It is operating as a council now. It has a community of interest not unlike that in any other Aboriginal community in the Northern Territory and can substantially stand alone as a council. He cannot tell me that an area around Alice Springs stands as a community when it uses all of the facilities of the town of Alice Springs. There is no comparison and I have no problem at all with the exclusion of Amoonguna from the town boundaries. It has a community of interest and it is operating as a council now. Those other areas have no centre, no shops, no schools and no office blocks. They have no focal points other than Alice Springs and Katherine.

Mr Deputy Speaker, I cannot see the relevance of the member for Sadadeen's argument. Litchfield Shire is separated from Darwin by Palmerston. It is certainly not closely associated with Palmerston and, in fact, it extends as far as 60 km from Darwin. Quite clearly, it is capable of handling a separate

community government. There are separate community governments being formed all round the Territory but they are not appendages to major towns as was the case with the areas around Alice Springs and Katherine.

Katherine is in much the same position as Alice Springs. It has a single centre of interest providing all of the services and there is nothing else on which to base a community or shire council. It would be very costly to establish such a council on the outskirts of a town. Throughout Australia, small councils are being disbanded and amalgamated. In some cases, 2 or 3 councils are merging because it is impossible to administer scattered, little, pocket councils that have no community on which to base themselves.

Community governments are defined by their name: they are based on communities. Places like Nguiu on Bathurst Island, Lajamanu, Elliott, Mataranka and Borroloola are communities which are quite separate and distinct. They have their own services. They do not send their children to places like Darwin and Alice Springs, nor do they do their shopping there. They are communities in their own right and could not be appended to a major council. However, the areas around Alice Springs and Katherine quite clearly use the services of those towns and have no ability to create those sorts of services for themselves. I have no problem at all, despite what the member for Sadadeen says, with the decision of Cabinet. It was the right one.

Mr BELL (MacDonnell): Mr Deputy Speaker, there are several matters that I want to raise and I will be brief because of the lateness of the hour. Firstly, in relation to Yulara, I remind the Minister for Mines and Energy of a press release he issued in January 1987 in relation to a $6m liquified natural gas conversion plant which, he said, could be operating in Alice Springs by mid-1988 if negotiations between the Northern Territory government and a Western Australian company were successful. He said that the company involved was Conversion Technology Pty Ltd of Perth and that, on that particular day, he had signed a heads of agreement document with that firm which was hopefully the first step towards a contract which would eventually see the Yulara Power Station largely converted to gas fuel operation. At some stage during these sittings, I would like to hear what the outcome of that has been. The Yulara Power Station and the costs of power generation are a matter of considerable interest to me and my constituents in that area and we look forward to hearing about the future of that proposal.

Mr Coulter: You would like to convert some of your communities to liquid nitrogen gas?

Mr BELL: I am interested in what the story is.

Mr Coulter: It is line ball at the moment in terms of economies.

Mr BELL: Is it? Between LNG and diesel?

Mr Coulter: Yes.

Mr BELL: Right.

The second issue I want to raise is somewhat more contentious. It concerns Yulara's ambulance service. I remind the Minister for Health and Community Services that undertakings were given during the last election campaign to provide a new ambulance at Yulara. That has not occurred. There is considerable concern about the provision of a service at Yulara. The minister has managed to put it off for 6 months by means of an investigation.

We have seen neither hide nor hair of that particular report and I think it is about time the Minister for Health and Community Services came clean about what exactly is going on. I trust some zealous person will pass that information on to the honourable minister in the hope that he can provide some answers for us at some stage.

An equally serious issue is the question that was raised in a letter from Mr Dick Kimber in the Centralian Advocate on 15 January in relation to the setting up of a museum in the Ford Plaza in Alice Springs. Mr Deputy Speaker, this might seem to be a fairly innocuous proposal but I am sure that, ab initio, the idea that there should be a museum in a shopping centre is rather strange to say the least. Evidently, the museum is to open this month although I have not heard any more about it since an article appeared in the Centralian Advocate on 8 January saying that the museum was due to open in the middle of the month.

Mr Coulter: It is open.

Mr BELL: It is open now, is it? In fact, I think this falls within the purview of the Minister for Conservation. This particular museum is a matter of considerable concern to me and I am quite happy to place that on record. I have met Mr Ford on a few occasions and I bear him no ill will but, frankly, I do not believe that a shopping centre is an appropriate location for a museum. By itself, ordinarily one would just raise one's eyebrows at the placing of the museum within the shopping centre. Members from Alice Springs will recall that, when the Ford Plaza was opened, there were many comments to the effect that it had been designed for up-market retailing outlets. There was a degree of controversy because the Department of Social Security was told that it was no longer welcome there because large gatherings of unemployed Aboriginal people would tend to discourage the general community from utilising those facilities. As a consequence of that decision, the Aboriginal Legal Aid Service apparently referred the matter to the Commonwealth Human Rights Commission. I am not aware of the outcome of that application.

It appears that, after the third floor of the plaza remained empty for some time, plans were put in train. I am quite sure that this was discussed at Cabinet level in the Chan Building and I would be interested to find out about that. That is the reason why I have raised the matter. I would like to know about the sort of agreement that was entered into between the proprietors of the Ford Plaza and the Northern Territory government. I remind the honourable minister and honourable members that, as I said, the Department of Social Security was not welcome because of the possibility of unemployed Aboriginal people being in its vicinity but that the museum, presumably containing many artefacts, is.

I understand that the museum is to be named after the great founders of Australian anthropology, Baldwin Spencer and Francis Gillen. It is to be called the Spencer and Gillen Memorial Museum. I think Baldwin Spencer would turn in his grave if he realised what is going on. I think it is a sad commentary on the Northern Territory, on the Ford Plaza and on this government that it appears that the physical remnants of traditional Aboriginal culture are acceptable, but the people, the living people, who are an embodiment of that traditional Aboriginal culture are not acceptable. I think that is outrageous.

The Department of Social Security was not allowed to set up in the Ford Plaza because there was a chance of Aboriginal people being in its vicinity and, after the place had been empty for a while, the Northern Territory

government decided to do a deal. I ask the question. I have not had the opportunity to see the federal returns. Let's talk once again about Carpentaria. Is there a connection? I only ask the question. Is there a connection between Mr Ford and Carpentaria? Did Mr Ford contribute to Carpentaria?

Mr Coulter: Things must be quiet in Alice Springs at the moment. You are not only a year out of date ...

Mr BELL: What, he contributed a year ago, did he?

Mr Coulter: No.

Mr BELL: I am not really interested when he did or when he didn't.

Mr Coulter: Or if he did or if he didn't?

Mr BELL: Well, you seem to be interested in it. You are the one who is interjecting when I raise the possibility. I suspect that, when the honourable Treasurer interjects in these matters, one is getting a little close to the bone. Until Carpentaria or the CLP organisation comes forward with information about who contributes to Carpentaria, we really will not know, will we?

I ask the question. It is well within the powers of the people who donate money to Carpentaria Pty Ltd and of Mr Lewis and Mr Wyatt and the other directors of Carpentaria Pty Ltd to make these figures available but, as long as these sort of sweetheart deals go on, that will be the thought in people's minds and they cannot be blamed for that. The least we can expect from these blokes is some honest statement on the nature of the relationship between the Northern Territory government, the museum that has been set up and the Ford Plaza. I don't think we will get it, but I am certainly going to keep trying.

Mr SETTER (Jingili): Mr Speaker, I rise this evening to discuss a matter that has come to my attention over the last several months and I must say that I have had some difficulty in achieving this particular role this evening. Earlier in the evening, there was a slight misadventure with my notes but, as a result of information I received, I was able to recover those notes and here I am standing before you. Following that, there was a suggestion that somebody might like to do some damage to my person, because of what I am about to say, but I was able to abort that particular effort as well.

What I would like to talk about this evening is Sunday trading in liquor by supermarkets. I know that this is of great interest to the minister responsible for the Racing, Gaming and Liquor Commission. As you are well aware, Mr Speaker, this morning I presented a petition from 6024 citizens of the Northern Territory requesting that supermarkets be allowed to trade in liquor on Sundays. That petition was first circulated on 8 December 1987 and was available to the general public until 15 January 1988. It was available in only 40 stores although there are about 80 supermarket-type stores in the Northern Territory, all of which sell liquor. Of course, because of the Christmas holiday period and the exodus from the Northern Territory, the number of people available to view that petition and have the opportunity to sign it was greatly reduced.

The petition was circulated by an organisation which was formed late last year called the Off Licence Traders Association. It has about 40 members at the moment but the number of members is increasing very rapidly and I would

expect that, within a few months, it will have the majority of those supermarkets as members. In reality, the Off Licence Traders Association refers to traders who merchandise alcohol for consumption off the premises as opposed to hotels where, in the main, it is consumed on the premises.

Mr Speaker, I am saying to you that those supermarkets are disadvantaged for 2 reasons: firstly, because they are not permitted to trade on Sundays and, secondly, because of the variation in the licence fees between supermarkets and hotels. Hotels pay only an 11% licence fee while supermarkets pay 16%. That gives hotels a distinct advantage. I do not intend to talk tonight about the difference in licence fees. Perhaps I could save that for another evening and once again run the gauntlet. Tonight, I intend to talk about Sunday trading only because that is an issue that is dear to the heart of the majority of people in the community who consume alcohol, and that is a very large percentage of the population. I know there are some people who do not do so, but I am addressing this particular issue for those people who do consume liquor. I do not think there would be very many people in this Chamber at the moment who would not be amongst that group.

Mr Speaker, the member for Fannie Bay advises me that he does not consume alcohol but I know that he lapses from time to time because I have seen him drink from a can of beer. Mr Speaker, do not let him mislead you in that regard. Perhaps he has changed his ways but I can assure you that he has lapsed from time to time.

It is interesting to note that there is no provision in the Liquor Act which prevents supermarkets from trading on Sundays. The restriction is placed by the Liquor Commission via the conditions placed on the licence. There is nothing in the act which would prevent supermarkets from trading. Settle down, minister. It is the Liquor Commission which prevents them from trading yet we find that, over a very brief period, more than 6000 people have indicated that they would prefer liquor to be available from supermarkets on Sundays.

From time to time, it is argued that supermarkets sell everything and hotels only sell liquor. Maybe that used to be the case but it is not so now. The reality is that between 10% and 20% of supermarket sales, in dollar value, is made up from the sale of liquor products. That percentage varies from one supermarket to another, for example, from Coles to a small corner store. The argument that hotels sell only liquor has, of course, long since gone by the wayside. They have always provided accommodation because, in most cases, that has been a part of the licensing requirements for hotels. These days, however, many hotels provide delightful meals. I quote, for example, the Billabong restaurant in my electorate which provides an excellent meal at a very reasonable price. Places like Jessie's Bistro do an enormous trade in meals served at the table with wine or other types of alcohol. Of course, it is only right and proper that that should be available.

In more recent times, we have seen a whole range of entertainment such as heavy metal rock bands in the cage bar at the Beachfront Hotel and at the Nightcliff Hotel. There are about 50 shows at various hotels around the city and these involve all types of entertainment. To argue that hotels sell only liquor is, of course, a fallacy.

Mr Coulter: There are not too many strip-and-prawn nights at Malak shopping centre.

Mr SETTER: Of course, there are the beer-and-prawn Saturday evenings. I do not know how many honourable members have been to such activities although I do recall the member for Koolpinyah telling me that she went along to a wet T-shirt competition at the Humpty Doo Hotel on one occasion. It is clear that a whole range of entertainment is being offered by hotels. They do not only sell liquor. They merchandise a whole range of other services to the community and, although I am not sure that this is the appropriate expression, the argument about only selling liquor just does not hold water. Territorians now expect to be offered one-stop shopping. They want to buy everything they need in one place. They do not want to have to go to the supermarket on Sundays to buy all their groceries and then have to drive 2 km or 3 km to the local hotel. That is an absolute inconvenience. One-stop shopping is what we are about in the Northern Territory - offering service to our customers and to the community at large.

Supermarkets already open on Sundays and they sell every product that they would normally sell during the week, except for alcoholic products. That is a restriction on the free marketplace. I know that this government is on record, on a number of occasions, espousing the virtues of the free market. We believe in the free-enterprise society and in the right of people to have a go, particularly in private business. Generally speaking, there is no restriction on private businesses except in respect of supermarkets trading in liquor on Sundays. I think that that is quite restrictive and I feel that it is time we had a closer look at it.

Mr Speaker, I would like to draw to your attention comments made by the Acting Chief Minister on 18 October 1987, the honourable Ray Hanrahan. He said that the government 'supports minimal commercial regulation and interference with the marketplace'. He was absolutely right. Of course, when he was addressing the issue that the Northern Territory Restaurant Association put forward some 6 months ago, asking that a particular fee to be set for the sale of a licence, or whatever the term is, for anybody who wished to purchase a restaurant when one changed hands, the Minister is on record as saying that the government was not prepared to protect that particular industry against competition, particularly against a background of increasing tourism. On the one hand, we have the Acting Chief Minister saying that the government supports minimal commercial regulation and interference in the marketplace and, on the other hand, we are restricting supermarket trading on Sundays. I am sure that, if we doorknocked the electorate, we would find that the majority of people would be very happy indeed to have supermarkets trading in liquor on Sundays.

I am suggesting that we remove this restriction, free up the marketplace and let the market forces rule. I would like to place on record my request to the minister responsible for the Racing, Gaming and Liquor Commission - who, I am pleased to say, is with us this evening - that he review his department's policy with regard to the commission's restriction in this regard because I believe there is a considerable amount of support in the community for that move.

Mr PALMER (Karama): Mr Speaker, I had not intended to speak in tonight's adjournment debate but the passionate plea from the member for Jingili has moved me to rise to my feet. Far be it from me to espouse the virtue of temperance, but I feel someone in this Assembly should stand in defence of the hoteliers and those persons in the liquor industry.

It is all very well for the member for Jingili to talk about the free-market system and the virtues of the free-market economy. However, the

supermarket proprietors and lessees went into that market fully aware of the rules. They invested in the market knowing that they were not permitted to trade in liquor on Sundays. In view of that, I believe there is no need to change the rules. It would give them an unfair advantage over the hoteliers who have invested millions of dollars in a specialised industry. Mr Speaker, if you ask any hotelier in the urban areas of the Northern Territory, you will find that much of their viability is dependent on the Sunday drive-in bottle shop trade.

They are able to offer value meals in their restaurants and bistros, but that results from the funds they are able to inject into their businesses as a result of the Sunday bottle-shop, takeaway trade. At this stage, I think it would be unfair to give them competition which they did not expect to have when they invested in their properties. It would give an unfair advantage and a virtual windfall profit to the supermarket proprietors, lessees or others to be able to sell alcohol on Sundays even though they had invested in their businesses without any prospect of being able to do so.

A member: You are splitting the camp.

Mr PALMER: Yes, I am splitting the vote.

Mr Speaker, I will conclude by saying that I cannot agree with the 6000 people who signed the petition. I do not believe the case has been fairly put to them. The mere fact of people signing a petition does not really give a true indication of what the community response would be to the member for Jingili's outrageous suggestion. Finally, I would remind the member for Jingili that the free market is not necessarily the private market.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

SUSPENSION OF STANDING ORDERS

Mr SMITH (Opposition Leader): Mr Speaker, I move that so much of the standing orders be suspended as would prevent my moving the following motion forthwith:

That, unless otherwise ordered, this Assembly, for the purposes of section 24 of the Legislative Assembly (Powers and Privileges) Act authorise the broadcasting and rebroadcasting on radio and television stations of the whole or part or excerpts of proceedings in the Legislative Assembly when the Assembly is debating the second readings, committee stages and the remaining stages of the Police Administration Amendment Bill (Serial 83); Bail Amendment Bill (Serial 34); and Criminal Code Amendment Bill (Serial 35) under the following rules:

(a) television -

(1) cameras are to focus on the member speaking - wide camera shots are permitted but no general panning of the Chamber during debate is permitted;

(2) in a direct broadcast, no announcement is permitted except a straight description of the proceedings before the Assembly;

(3) no political views or forecasts are to be included; and

(4) the announcement of each member receiving the call shall include the following:

(a) name;
(b) parliamentary office or portfolio; and
(c) political party;

(5) no comment on the presence or absence of members (including ministers) is to be made;

(6) no sponsorship shall be associated with any direct broadcast;

(b) radio -

direct broadcasts by radio stations shall be made in accordance with the rules laid down for the broadcast of question time by the resolution of the Assembly of 11 November 1983 as varied by the resolution of 12 November 1985;

(c) excerpts of recordings for broadcast by television and radio -

(1) sound excerpts for radio broadcasting purposes shall be recorded from the audio signal of proceedings transmitted by the Assembly monitoring system throughout the Northern Territory Legislative Assembly;

(2) excerpts for television purposes may be taken from recordings made in accordance with the rules laid down under Part (a) television;

(3) excerpts are not to be used for the purposes of satire or ridicule;

(4) excerpts shall not be used for the purposes of political party advertising or in election campaigns;

(5) fairness and accuracy and a general overall balance should be observed;

(6) excerpts of proceedings which are subsequently withdrawn shall be available for rebroadcast provided the withdrawal is also reported;

(7) excerpts must be placed in context - commentators should identify ministers and members at least by name;

(8) events in the gallery are not part of the proceedings and excerpts in relation to such events, as far as is practicable, should not be used;

(9) qualified privilege only shall apply to broadcasters in the use of excerpts;

(10) the instructions of the Speaker or his delegated representative on the use of recorded excerpts shall be observed at all times;

(11) where the excerpts are used on commercial networks, the station should try to ensure that advertising before and after excerpts is of an appropriate nature; and

(12) access to proceedings for the purpose of recording excerpts shall be on the basis of an undertaking to observe these guidelines; and

(d) It is a fundamental term of these conditions that any breach of any of these rules may result in the immediate suspension of the privilege by Mr Speaker.

Mr Speaker, it has been necessary to approach this matter in this way because, if the Assembly were to pass this particular motion, it would take quite some gearing up by the radio stations and TV channels to whom the motion is directed. On that basis, we are seeking the suspension of standing orders to allow the motion to be debated today.

Because of the action taken by the government yesterday to push the Police Administration Amendment Bill through all stages at these sittings, we must ensure that the people of the Northern Territory have the widest possible opportunity to participate in what we all accept is a most important piece of legislation. No matter which side of the political fence we are on, I think we agree that the Police Administration Amendment Bill affects everybody both inside this House and outside. In fact, not to put too fine a point on it, it

is probably one of the most important, if not the most important, bills we will discuss in the life of this parliament. It goes to the concern that every person has: the provision of a proper balance between the powers of the police and the protection of the civil liberties that we have enjoyed as citizens of Australia since its inception and which the Westminster system has enshrined since 1688. The people who elect us deserve the opportunity to see us in action on this particular piece of legislation. They deserve to see us in action debating this particular piece of legislation and they deserve the opportunity to identify what their local member has to say on the legislation. That, primarily, is the reason we are putting this motion today.

It would not have been necessary to proceed with this motion if the normal processes had been followed and the bill were not to be forced through this House, although an argument might still have been advanced that, even in the May sittings, the matter would have been so significant that the community would have benefited from radio broadcasts and telecasts of debate on the legislation. We are seeking to suspend standing orders to allow radio and TV stations throughout the Northern Territory to use, at their discretion and within the guidelines set down in the motion, excerpts of the debate that will occur next week unless the government changes its mind.

I do not want to keep the Assembly long on this matter and I certainly do not want to take my full 30 minutes, but I want to make the point again, very strongly, that we have an obligation as legislators to ensure the widest possible circulation of information about potential legislation. That process has already been curtailed by this government. This motion offers an opportunity for legislators in the Northern Territory to show that they are prepared to allow people in the Northern Territory the widest possible access to the debate on this matter. To deny this motion for the suspension of standing orders would be to deny once again to the people of the Northern Territory their right and proper access to the members of this parliament and the processes of this parliament.

Mr Speaker, I urge members to support this particular motion.

Mr HANRAHAN (Leader of Government Business): Mr Speaker, the government will not support the motion to suspend standing orders. The issues relating to the broadcast of the proceedings of this Assembly are presently before the House Committee in very detailed form and I believe that is the proper place for them to be considered. I dispute the Leader of the Opposition's claim that this is the most important piece of legislation that will ever be dealt with in this House. Debates on the Criminal Code were not broadcast. A review of some of the information before the House Committee will reveal that, on a per capita basis, this Assembly is one of the best-attended parliaments in Australia.

The Leader of the Opposition is just making more hay while the sun shines. The legislation has been in the public forum since last October. It has received wide coverage, public consultation and input through all media and the government will not support the suspension of standing orders on the basis put forward by the Leader of the Opposition, which is that the debate will be further enhanced by the broadcast of the debate on the bill in this House. I do not believe that it is necessary to debate this motion any further. The views of this side of the House are known and there are other avenues open to the Leader of the Opposition.

Mr Speaker, the government does not support the motion to suspend standing orders and therefore, Mr Speaker, I move that the motion be put.

The Assembly divided:

Ayes 15	Noes 8
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Hanrahan	Mr Smith
Mr Harris	Mr Tipiloura
Mr Hatton	Mr Tuxworth
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

Mr SPEAKER: The question is that the motion for suspension of standing orders be agreed to.

The Assembly divided:

Ayes 7	Noes 16
Mr Bell	Mr Collins
Mr Ede	Mr Coulter
Mr Lanhupuy	Mr Dale
Mr Leo	Mr Dondas
Mr Smith	Mr Finch
Mr Tipiloura	Mr Firmin
Mr Tuxworth	Mr Hanrahan
	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter

Motion negatived.

DISCUSSION OF MATTER OF PUBLIC IMPORTANCE
Accommodation of Psychiatric Patients at Royal Darwin Hospital

Mr SPEAKER: I have received the following letter from the member for MacDonnell:

Dear Mr Speaker,

Pursuant to standing order 94 I propose for discussion, as a definite matter of public importance, the following matter: the inability of

the Minister for Health and Community Services to protect mothers and babies at the Royal Darwin Hospital, his failure to provide secure, humane care and accommodation for psychiatric patients and his demonstrated ignorance of their plight.

Yours sincerely,
Neil Bell,
Member for MacDonnell.

Is the proposed discussion supported? It is supported.

Mr BELL (MacDonnell): Mr Speaker, yesterday the Minister for Health and Community Services assured the members of this Assembly and the people of the Northern Territory that the incidents that I had raised in question time were really rather trivial. It is noticeable that he is taking the issue rather more seriously today. In his off-the-cuff answer yesterday, he said, as if it were nothing to worry about at all, that 2 women patients had simply wandered in and looked at the babies. He was as cool as a cucumber, just as he was in relation to the problem of patients using the offices of medical staff between the 2 wards, Ward 5A and Ward 5B. He said that was only for counselling purposes and that there were no real problems because the 2 wards were not very close and there was never really any danger at all - none at all. Why, then, are the nurses at the Royal Darwin Hospital holding a meeting over this very issue this morning? Why have security guards been posted? Why are the offices that have now become the subject of public debate being moved? Why is the director of the hospital talking about relocating the wards? The answer is simple: nobody believes the minister. Nobody should believe the minister.

Our information is that 2 behaviourally-disturbed patients, each regarded as unfit to plead to serious crime, have the freedom of the hospital. I should say that I have followed these particular cases with some interest because some of the people involved are from central Australia; indeed, their families are from my electorate. It is a serious matter and of some concern to me. In fact, I was in the courthouse in Alice Springs when one of these particular cases was being dealt with. It is tragic, Mr Speaker, but the fact of the matter is that both of these people are regarded as unfit to plead to serious crime. They have been registered under the Mental Health Act, and they have the freedom of the Royal Darwin Hospital. Until today, one of them was such a frequent visitor to the maternity wards that the staff thought he must be a relative.

Our information is that the distance between the 2 wards is half the width of this Chamber. Our information is that the offices were not used simply for counselling; they were used for assessment. In other words, psychiatric patients on referral used the entrance to the maternity ward as a waiting area until the extent of their illness was assessed.

Yesterday, the minister said he had sought guarantees from the Medical Superintendent at the Royal Darwin Hospital that there would be no recurrence of these incidents. Leave aside the minister's promises of a year ago that an incident that occurred then would not be repeated. Leave aside the minister's tawdry attempt to shift his responsibility onto the Medical Superintendent. I should say here that pushing Dr John Edgar, the Chief Executive Officer at the Royal Darwin Hospital, out in front of the cameras on the 7.30 Report was one of the most spineless actions I have seen from the Minister for Health and Community Services in some considerable time.

Our information is that the Medical Superintendent - or the Chief Executive Officer as I perhaps should say - does not have control over the psychiatric patients at the Royal Darwin Hospital. As the minister should well know, their care and control is quite appropriately the responsibility of the Director of Psychiatric Services, who is a highly-trained specialist in this particular area. I met the director on the occasion that I referred to before, when one of these matters came before the court in Alice Springs.

Let no one imagine that it is just the mothers and babies who are the victims of this minister's sloppy neglect. The fact is that mental illness is illness, and it involves pain and suffering. A mentally-ill patient deserves the same care and compassion as a physically-ill patient. This morning, the Medical Superintendent said that the administration of the hospital was looking at changing the wards around. Our information is that all the wards in the hospital are purpose-built; that is, each of the wards is designed to deliver different forms of health care. Each ward was doing that a year ago and each ward could be doing that today, had not the government totally disrupted the hospital by installing a private hospital on the third floor of the building.

Mr Speaker, let me just return to a couple of these comments. I really need to stress the way the honourable minister has dealt with this particular issue. In the light of the information we received from the minister yesterday morning in question time, it was clearly the opposition's responsibility to raise the issue further. I draw to the Assembly's attention the considerable difference between the way the honourable minister dealt with this particular subject yesterday and the way he dealt with it today. Yesterday, he said that there had been a second incident of a person from the psychiatric ward wandering into the maternity section of the hospital in the last week or so. Well, that is terrific, isn't it - really terrific! However, by today, he had cleaned up his act a little bit.

Mr Speaker, you will recall that in question time today, I raised a further question that I wish to refer to at some length. That question related to the presence in the special day-care nursery of a patient who had been registered under the Mental Health Act. The honourable minister did a better job this morning. He said that he would look into the matter and that he would advise the House further. He said he could not confirm that the situation was as I had described it, which was a little better, I must say. He has cleaned up his act a little today, and he said he would advise the House. He said that, in fact, there had been no reported incident. I suppose that raises the question of the basis on which incidents at the hospital are reported.

There are 2 basic points. One is at the very basis of the issue, and I will return to it. It is the proximity of the maternity ward to the psychiatric ward. The second point relates to the sort of control and information that is available to the minister. If we, with the scant resources that are available to the opposition, are able to raise these crucial matters of public importance in this Assembly and the minister is not able to provide information to the elected representatives of the people of the Northern Territory to ensure that adequate invigilation of these activities is carried out, something is wrong. I believe that some sort of formal inquiry in this regard is required.

I will give the Minister for Health and Community Services just one little issue that he might like to include in such an inquiry and he can confirm the information for himself. I accept his comment in question time that the

incident has not been reported, but our understanding is that such an incident did occur. Our information - and I will make sure that I get ...

Mr Dale: If your information is true or scurrilous.

Mr BELL: Scurrilous! I will pick up the interjection from the Minister for Health and Community Services. I will pick it up because on another occasion he used the phrase 'concoct' which, according to my understanding of the word, suggests that I am purveying falsehood mixed with truth. Let me tell you, Mr Speaker, that that is not the case. Our understanding is that, in the last 2 weeks, Titus Japaljarri - note the name - who ...

Mr Dale: I don't talk about patients' names, Neil. I am a bit different to you: I've got some ethics.

Mr BELL: Mr Speaker, I will pick up the interjection from the Minister for Health and Community Services. I have been shadow minister for health and community services for about a month now and it is quite clear to me that I know far more about the operation of the Mental Health Act than does the Minister for Health and Community Services. It is a plain fact that the relationship between somebody registered under the Mental Health Act and an ordinary doctor-patient relationship is entirely different, and I would have expected the honourable minister to be well aware of that. One of the reasons that orders have to be given under the Mental Health Act before a court is because the court, on behalf of the people of the Territory, has to be satisfied that that sort of sequestration is necessary. I am surprised that the honourable minister does not understand his portfolio well enough to be able to appreciate that and that he demonstrates it by interjecting in such an ill-informed fashion. That was an absolutely extraordinary performance.

Let me turn now to the comments made yesterday on the 7.30 Report. They certainly need to be recorded by Hansard. As I said, in a thoroughly spineless fashion the Minister for Health and Community Services - who did not, I might add, contribute to the debate that took place in the Assembly yesterday - decided to duck the 7.30 Report. He did not push the Director of Psychiatric Services to appear in relation to the issues. He decided to push the administrative head of the Royal Darwin Hospital, the Chief Executive Officer, who used to be called the Medical Superintendent, into answering. That was a particularly spineless performance from a character who is already well known for his - words fail me, Mr Speaker. Terms like 'bullying' spring to mind. No doubt you will recall what has been said about the petrol sniffers who are in danger of having their arms broken, but I will not dwell on that.

Mr Speaker, when the Chief Executive Officer spoke on the 7.30 Report last night, he was asked whether patients with behavioural problems should be in an isolated ward staffed by people with sufficient strength to deal with them. His answer was: 'Yes, that is correct and we do have provisions in the ward for that as well as the other Ward 9 for those sort of patients'. The interviewer then asked why the man was not in Ward 9. The Chief Executive Officer replied: 'Well, the answer to that, I guess, is that decisions like that are made by medical and nursing staff who have the experience'. That is not good enough. It is not good enough for the people in the maternity ward and not good enough for people who need secure and humane psychiatric care.

I will reiterate my 2 basic points. Firstly, the proximity of the wards is wrong. Secondly, the minister must get better information about what is happening in the short-term and he must plan for better arrangements in the long-term.

Let me give one more example of the lack of information that the Minister for Health and Community Services evinces in this regard. It was clear that he obtained considerably more information between making his comments yesterday in an interview screened on the 7 pm news and the time when he got up this morning. He said on the news that psychiatric patients were in a very low security category: 'They are probably somebody that might be in there just for a 24-hour break, a bit of a rest, and they are not really dangerous people in that particular ward'. I have demonstrated to the Minister for Health and Community Services that the problems are a little more severe than that. These are not very low security people: they are people who are registered under the Mental Health Act, whose communities cannot cope with them.

Let me relate a personal anecdote about a behaviourally-disturbed Pintubi man, Tjinapaumpa, who appeared to be mad. He perished several miles from Kintore, basically because the community there could not deal with him. That is the sort of possibility that we are looking at here. Unfortunately, I have not been able to obtain documentary evidence for this morning's debate, but I am aware that the Department of Health and Community Services is expecting those behaviourally-disturbed people who are currently serving sentences for crimes to be released into their communities when their sentences are completed. The communities cannot cope with them. The sane, humane, secure way to deal with them is to provide some sort of long-term care. That is absolutely necessary.

Let me quote from one of those doozey CLP policy documents which are coming back to haunt members opposite. We heard the Minister for Lands and Housing attempting to make a fist of the government's broken housing promise in question time this morning. That did not wash and this will not wash either. This policy document refers to the establishment of a maximum security facility. I would be interested, in passing, to find out whether the assessment teams have yet been set up in Alice Springs to assess the psychiatrically and intellectually-disabled persons who are behaviourally disturbed. That, however, is not germane to this debate. The policy document says: 'These measures are being taken to ensure that the behaviourally dangerously disturbed no longer present a threat to society, that they will receive adequate care and that the staff who handle them will be protected'. The minister and his government have failed consummately in that regard. While they endeavour to privatise public facilities at the hospital, they allow this sort of neglect to continue. It is shameful.

Mr DALE (Health and Community Services): Mr Speaker, it certainly is difficult, as minister responsible for this area, to attempt to restore some reality to this debate in view of the member for MacDonnell's comments here this morning and his efforts through the media to build up the emotions of people in the Northern Territory. I suppose his main aim is to get them into such a stressed condition that they will be fearful of going to the maternity ward at the Royal Darwin Hospital. What a shameful aim that is. He has given no substance whatsoever to the various matters he has raised here this morning. He has just thrown in so-called reported incidents that he knows about but which nobody in my department has come forward to inform me about. He apparently considers it appropriate, if a woman in Ward 5A - even as a voluntary patient - has a premature child, that her access to the child be restricted, even if that is contributing to the stress she is under.

We have this knight in shining armour rallying to the cause and yelling across the Northern Territory that people in the Royal Darwin Hospital need protection. Protection, Mr Speaker! I do not want him to jump to his feet

and interject by saying: 'Are you going to wait for an incident to happen before you do anything?' That would be an obvious line for him to use. The fact of the matter is that these 2 incidents have been grossly exaggerated in the media, with the support of the new shadow minister for health and community services. Neither babies nor mothers in the maternity ward at the time of the 2 incidents were ever in any danger whatsoever. Obviously, the member for MacDonnell has been talking to some of his friends at the hospital who are clearly quite happy to stir up problems for the management of the hospital. I have been told, Mr Speaker, that in the last incident the patient actually wandered into the maternity area and spoke to the nurse in the office section of the maternity ward. That nurse, a professional person who is responsible for the patients in the maternity ward, knew that the patient was from Ward 5A. She saw fit simply to direct the person back to Ward 5A. On her way back, the lady apparently deviated from that course and walked into the area where the mother and child were.

Mr Ede: And you think that is all right.

Mr DALE: No, I do not. I believe that perhaps the nurse should have escorted the woman across to Ward 5A.

Mr Ede: Can you convince the mothers that there is nothing wrong with that and that everything is okay?

Mr DALE: Mr Speaker, I can well understand why a mother in hospital would have some concern if any person came near her new babe. I certainly share those concerns. The point I make is that we are not simply standing back and doing nothing about the situation although we are certainly trying to stop the dramatisation of 2 incidents when 311 mothers and babes have been through that ward since the privatisation of the other 2 wards.

Let me go back little bit. The Royal Darwin Hospital was built in 1976 by the Commonwealth government and without consultation with people from the Northern Territory. They left us with the rather useless facility that we now have. One of the problems that we are confronted with now is that it was not built to the appropriate fire safety standards. The Commonwealth government was managing the Northern Territory at that time, and it was quite happy about that. We have been negotiating with the federal government for quite some years in an endeavour to get funds so that we can rectify its mistake. Despite the ruthless treatment of the Northern Territory government by the federal government in this last financial year, when I became minister responsible for that hospital, I was able to convince my Cabinet colleagues that this was yet another occasion where we had to forget the federal government. It could not care less about our mothers-to-be. It could not care less about our psychiatrists. Nor, for that matter could it care less about people in our ICU and in our infectious diseases wards. The federal government could not care less. Despite the budgetary problems we had because of the machine-gun kid and his mates down in Canberra, we decided that, this year, we would set ...

Mr BELL: A point of order, Mr Speaker!

Mr DALE: Sit down and shut up. Don't you want to hear about it?

Mr BELL: I repeat, a point of order, Mr Speaker! Derogatory references to members in another place, such as the minister has just made, are contrary to standing orders.

Mr SPEAKER: The Minister for Health and Community Services will withdraw his remark.

Mr DALE: I withdraw unreservedly, Mr Speaker.

It is unfortunate that this Territory has been placed in an unenviable position by Senator Walsh, who stated that he would like to use a machine-gun on the population of the Northern Territory.

Mr Smith: No, he did not.

Mr DALE: His staff did and he is responsible for them.

My Cabinet colleagues decided to spend some $3.5m in this year's budget to upgrade fire security standards at the Royal Darwin Hospital. That work has commenced. A result of that is that, for the next 2.5 to 3 years there will be some disruption to the Royal Darwin Hospital. From time to time, each ward will have to be changed around. The privatisation of the 2 wards at the Royal Darwin Hospital has had absolutely nothing whatsoever to do with any inconvenience experienced in the operation of the Royal Darwin Hospital at the moment, absolutely none whatsoever.

Mr Speaker, you will recall that there was a problem last year or the year before with the behaviourally disturbed, particularly in the Alice Springs area. As a result, I took steps which resulted in capital works to extend Ward 9 at the Royal Darwin Hospital and make it more secure. The changes are now under way and I will deal with them further in a moment.

Mr Speaker, let me return to the patients in Ward 5A. In that ward, there are 4 categories of people. Category 1 patients are observed on a 1-to-1 basis and are under very close supervision. The whereabouts of category 2 patients is known at all times and they are, in fact, checked each 15 minutes. Category 3 patients are confined to the ward for general observation and they only leave the ward with an escort. Category 4 patients are permitted to leave the ward with the permission of a registered nurse. As I said before, the number of women who have used the maternity ward since the private hospital opened is 311.

Mr Ede: Which category were the patients involved?

Mr DALE: Mr Speaker, I am advised that they were in category 4.

Mr Speaker, I think it is obvious to anybody who has any common sense that the minister responsible has to take the advice of the professional people in relation to the management of a hospital. I am not going to tell the person in charge of the psychiatric ward whether Billy Smith or Joan Brown ought or ought not to be in a particular category. Obviously, that has to be a decision of the highly-skilled, highly-paid and highly-trained management people at the Royal Darwin Hospital. If I were to give a ministerial direction that the maternity ward was to be moved and it was moved next to the ICU or the infectious diseases ward and something happened to one of those babies, I wonder what opposition members would say to me then. I wonder if they would be supporting me then, because today they are berating me on the basis of scurrilous, unsubstantiated information that they have been fed by friends of theirs at the Royal Darwin Hospital.

Mr Smith: There are not too many friends of yours out there, I can tell you.

Mr DALE: Mr Speaker, there are many very responsible people at the Royal Darwin Hospital who are managing a very difficult task with a great deal of professionalism.

It must be understood that, generally speaking, people in a maternity ward are healthy. They are not sick. And it must be remembered that psychiatric patients in the 4 categories that I mentioned earlier are better looked-after with the support that can be obtained in a hospital than they could be in a stand-alone area.

The member for MacDonnell said that perhaps I should build a facility to lock these people in, and that they should not be allowed back out into the community because they suffer from mental illness. He contradicted himself. He said that mental patients are ill. They are ill and they can be treated. They can improve their status.

Mrs Padgham-Purich: Some of them cannot.

Mr DALE: Some of them cannot and therefore other facilities are needed for those people. That is acknowledged, and that is why I took the decision to extend Ward 9 in the foreground of the Royal Darwin Hospital.

I believe that we have taken quite substantial steps during the last couple of years, to manage people in the Northern Territory who suffer from mental illness. I have a list of what we have done and I will read it out. In 1986-87, there was the establishment of the Tamarind Centre as a base for community psychiatric services with capital works to the value of $292 000, operational costs of $667 000 and ongoing costs of $800 000 a year. There was the establishment of the community psychiatric service in Alice Springs with capital works to the value of $145 000, operational costs for 2 staff at $46 000 and ongoing costs of $66 000 a year.

Another initiative was the upgrading of Ward 9 at the Royal Darwin Hospital, where the more difficult cases are kept. I would be happy to take the opposition's new spokesman on health and community services on a tour of that facility. In fact, I invite him to come to my department for the urgent briefings which he obviously needs on a number of matters. The upgrading of Ward 9 at the Royal Darwin Hospital involves capital works worth $480 000, operational costs of $143 000 for 15 to 20 staff and an ongoing cost of $0.5m a year. In 1987-88, the Alice Springs assessment team will have an operational cost of $100 000 for 5 staff and $292 000 in ongoing costs. There will be further upgrading of the Tamarind Centre and hospital services, involving capital works worth $40 000, operational costs of $190 000 for 14 staff and ongoing costs of $320 000 per year.

I do not see that those are the achievements of a 'do nothing' minister or a 'do nothing' government in relation to psychiatric services. I have already given notice that I hope to introduce at these sittings legislation relating to guardianship. In is my intention to table that legislation to give the honourable members opposite and the community at large a great deal of time to debate the matter so that we can arrive at a sensible conclusion to the introduction of the legislation at the next sittings.

In my view, management of a hospital must be left to the professionals and that is the way I will handle the matter as Minister for Health and Community Services in the Northern Territory. There is no way that I will give a ministerial direction to a professional person on where a particular psychiatric patient should be housed nor on how he should be treated, nor on

how his general management should be handled. There are several hospitals in Australia that have the psychiatric ward and the maternity ward on the same floor. The irony is that the original design for the Royal Darwin Hospital was for the psychiatric ward and the maternity ward to be on the same floor. It is not an innovation and it is not a cynical approach to the management of the problem there. However, let me say that we are doing everything in our power, and the professional people at the Royal Darwin Hospital are doing everything in their power, to properly manage the affairs of the Royal Darwin Hospital. When the private hospital is completed in August or September of this year, it will increase even further the standard of hospital and specialist services available to people of the Northern Territory. Mr Deputy Speaker, Health and Community services is the soft underbelly of any government.

Mr Ede: You are! You are the soft underbelly of this government.

Mr DEPUTY SPEAKER: Order!

Mr DALE: The opposition has no problems at all in raising any matters it wishes to raise, but members of a responsible opposition do not run around terrifying pregnant women in the Northern Territory with tales suggesting that, when they go into the Royal Darwin Hospital, they will be assaulted by some psychiatrically-ill patient. They do not go around telling everybody that they should fly south at the drop of a hat. Members of a responsible opposition would be talking about the economic condition of the Northern Territory. They would be talking about tourism, about mines and energy, about industries and primary production. They would be talking about worthwhile issues concerning the development of this Northern Territory, instead of running round scaremongering and terrifying people.

I have all the faith in the world in the people of the Royal Darwin Hospital. My wife has had a major operation in the Northern Territory. I certainly have had a major operation in the Northern Territory. Only 10 days ago, my 20-year-old daughter, as a public patient, had an operation in the Royal Darwin Hospital and, following a serious car accident, my 18-year-old daughter was treated in the Royal Darwin Hospital only a little while ago. Mr Speaker, I have total confidence in the staff and the facilities at the Royal Darwin Hospital. The only thing I do not have any faith in is this opposition.

Mr SMITH (Opposition Leader): Mr Speaker, if you ask professionals in psychiatric medicine where long-term and potentially dangerous mentally-ill patients should be accommodated, I am sure that they would say without hesitation that they should not be mixed with the general hospital population. That principle has been recognised by the Northern Territory government through the establishment of a separate Ward 9 facility which, although it is in the grounds of the Royal Darwin Hospital, is not part of the hospital complex. This debate has come about because the overflow from Ward 9 has been placed in Ward 5A which, of course, is located in the midst of the hospital. In the words of one of my colleagues who shall remain anonymous, if Ward 5A worked properly, it would exemplify the revolving-door concept of psychiatric help where people go in for short-term assistance. I think the minister referred to that earlier. The first problem at the Royal Darwin Hospital is that people who should be in Ward 9 are in Ward 5A because there is not sufficient room in Ward 9. The second problem is that Ward 5A is adjacent to Ward 5B which, of course, is the maternity ward. There would be no problem if Ward 5A were not next to 5B and we would not have a problem if people who should be in Ward 9 were in Ward 9 instead of being in Ward 5A.

Mr Dale: So the 2 women should have been in Ward 9. Is that what you are saying?

Mr SMITH: I am not talking about the 2 women. Mr Speaker, you know what I am talking about.

The problem is that there is potential for things to go wrong and that they have gone wrong. The extent to which they have gone wrong depends on who you listen to. The minister says that there are 2 known incidents in which things have gone wrong. The reporter from the ABC 7.30 Report actually went out to the hospital and talked to staff at the hospital who said that people from Ward 5A have been seen wandering around the maternity ward on an average of 3 times per week for the last few months.

Mr Dale: Not people who should be in Ward 9?

Mr SMITH: Mr Speaker, I will come to that in a minute. Whether people should be in Ward 9 or Ward 5A is not terribly relevant to the mother who happens to be in the maternity ward. She is not interested in the fine distinctions that the honourable minister might like to make. All that she is interested in is knowing that she is in hospital, that she is getting the best possible attention and that she is not receiving unwanted visitors, particularly not unwanted visitors from the psychiatric section of the hospital. That is something that this government has not been able to guarantee, and it has realised that. The honourable minister has realised it and has insisted that security be upgraded at the entrance to Ward 5A. Obviously, that is a positive step.

The nurses in the psychiatric unit at the hospital obviously realise it because they are meeting to thrash out some concerns they have about the existing situation. I would have thought that the fact that the nurses in a psychiatric unit feel so concerned about the problems in relation to psychiatric services at the hospital would mean that the minister would feel concerned as well. However, that is too simple for the minister. Once again he illustrates his reputation for doing nothing and, in this instance, he is doing nothing in relation to the psychiatric care problems that are obvious at the Royal Darwin Hospital and the effect that those problems are having on people in the maternity ward.

I am advised that the problem that we have in Darwin has arisen essentially because, since January 1987, Darwin has been accommodating the problems of Alice Springs. Because there has been no facility to handle Ward 9-type cases in Alice Springs, 5 or 6 of them have been sent to Darwin and, of course, have caused an overflow problem in Ward 9 in Darwin. Essentially, the problem is that Darwin is accommodating an Alice Springs problem. I am not laying blame or casting aspersions, but that is the problem we are faced with.

One relevant question that might be asked, the answer to which was not obvious from the list of achievements given by the honourable minister, is: what has happened to the Alice Springs psychiatric assessment team? The minister might like to address that problem because it might contribute to the alleviation of the problems in Alice Springs.

No one denies that the staff of the psychiatric unit do a good job. They are doing it under very difficult conditions indeed. They are doing it under conditions so difficult that, as I have said, they are now either in a meeting or have just completed a meeting to discuss those difficulties. Yet, in the

face of the fact that the staff at the front line, at the coalface, are meeting today to talk about their problems, the minister stands up in this House and, for 20 minutes, gives the impression that there is nothing wrong with the situation at the Royal Darwin Hospital. Mr Speaker, I for one will be very interested to know what the staff have decided and that may well occupy the time of all of us in the next few days.

As I said, there is no denying that the staff at the Royal Darwin Hospital are doing an excellent job under the circumstances. The problem is that the minister will not provide them with the resources that they need to get on and do that job effectively. Essentially, the minister is saying to them that they will have to hold in Ward 5A an extremely wide range of psychiatric patients, including a number who should not be in that ward at all but who should be in a separate facility outside the hospital in a ward such as Ward 9.

Mr Dale: Who is going to make that decision?

Mr SMITH: The minister is the person responsible for making that decision.

Mr Dale: You have no idea.

Mr SMITH: At least, the minister is responsible for providing the resources ...

Mr Dale: I have.

Mr SMITH: ... to give hospital administrators the choice of where they put such patients rather than forcing them to put them in a completely unacceptable environment.

Mr Dale: I have.

Mr SMITH: Until the minister opposite is prepared to come to grips with that particular issue, we will continue to have problems at Royal Darwin Hospital. Unless he is prepared to talk to the hospital administration about shifting either the maternity or the psychiatric ward from the collocation ...

Mr Dale: What is your opinion?

Mr SMITH: I do not know. I do not happen to be an expert in hospital administration.

Mr Dale: Or anything else.

Mr SMITH: You are supposed to be the expert in hospital administration but, quite clearly, every time you open your mouth, you reveal that you are not. Equally clearly, every time you open your mouth about Katherine, you reveal that you do not know anything about its needs either. Perhaps, if you kept your mouth shut, people might think that you knew something about something.

Mr FINCH: A point of order, Mr Speaker! The Leader of the Opposition is addressing his comments directly to the Minister for Health and Community Services instead of through the Chair.

Mr SPEAKER: There is no point of order.

Mr SMITH: Thank you, Mr Speaker. If the honourable minister kept his mouth shut, as I was saying when I was rudely interrupted, he might give the impression that he knew something about his portfolio areas. Of course, Mr Speaker, every time he opens it, he puts himself in an even deeper hole.

The facts in this matter are quite simple. We have a situation where the minister has been unable to protect mothers and babies at the Royal Darwin Hospital. He has failed to provide secure, humane care and accommodation for psychiatrically-ill patients and has demonstrated his ignorance of their plight. If you wanted any evidence of that, Mr Speaker, the evidence has been supplied by my honourable colleague. For example, the minister does not seem to be aware that the very person who was responsible for the incident at Berry Springs on Sunday was the same person who has been seen in the special care unit on the 6th floor of the hospital, that special care unit being where babies who require humidicrib care or other special attention are located. The honourable minister does not seem to be aware of that fact. He has known about it for 4 or 6 hours yet he still has not bothered to check up on it or to make sure that it will not happen again.

Mr Speaker, I do not want to take up the full time available to me on this particular matter. The case is quite clear: the minister has failed his responsibilities in this area.

Mr HANRAHAN (Education): Mr Speaker, I too will not be raising too many of the issues because I think they have been dealt with more than satisfactorily by my honourable colleague, the Minister for Health and Community Services.

One point that I would like to draw to the attention of honourable members and, in so doing, to express some disappointment experienced on this side of the House, is that it has become apparent to me that in the Leader of the Opposition's search for a new image and style in an attempt to exhibit strength and confidence - although I think it is a lost cause - the opposition spokesman for health does not seem to be participating in the relevant questions and debates before this House. I would have thought that this was an issue which the opposition spokesman for health could have addressed.

Mr Smith: He did. He opened the debate.

Mr HANRAHAN: Oh, is it Bellie these days?

Mr Smith: What a great start. What a great contribution you are making.

Mr HANRAHAN: It will get better.

Mr Speaker, let me put the debate in context as I see it. I think the opposition has raised this issue incorrectly. It has been blown out of all proportion. Some misrepresentations are taking place here today relative to who exactly is wandering around the wards. The Minister for Health and Community Services covered many of the aspects but there are some particular points that I would like to pick up.

It is the view of this government, and it always will be, that health care and the delivery of associated services will always be a matter of public importance. We have always treated the issues relative to health as being very important indeed. It is disappointing to see this MPI come forward in the form that it has. No one can doubt that genuine concerns will be expressed by mothers of babies, who are in hospital and who feel that they are

being threatened. That is certainly a natural reaction. However, it is false to suggest, as the Leader of the Opposition sought to do, that the person seen in various wards at the hospital including the maternity ward, was in fact the person involved in the star-picket incident at Berry Springs. The Leader of the Opposition adds no credibility to his argument if he continually washes over some of the facts and attempts to make us believe that the issue is greater than it really is.

I am aware of the 2 incidents at the Royal Darwin Hospital. I am more than aware of the comments made by the Minister for Health and Community Services. There was no danger to the babies or their mothers. As the honourable minister pointed out to members of the opposition, there is a program which will involve the rotated closure of 2 wards at a time during the next 2½ to 3 years. That is to happen because of the fire safety upgrading program at Royal Darwin Hospital. I make that point because the Leader of the Opposition and his colleagues opposite continually fail to recognise government initiatives and put them into perspective. They fail to acknowledge that we have taken many new initiatives. Their problem is that they simply cannot take it in. It is just totally unacceptable to the way they think. They cannot comprehend any new idea or initiative.

I refer to the Hansard of 29 April 1987 when, during the debate on the Address-in-Reply, the Leader of the Opposition had the audacity to suggest that he and his colleagues would be a constructive opposition. He is making a joke of what he said then: 'We will not oppose government initiatives purely for the sake of opposition'. The opposition has referred repeatedly to the initiative taken by my colleague the minister in setting up the private hospital in 2 wards of the Royal Darwin Hospital. That is an initiative that deserves the support of every Territorian because we are not frightened to get behind a new idea and get it going.

In the context of trying to raise 2 particular incidents at the Royal Darwin Hospital, it is interesting that the opposition cannot help knocking the government's initiative in relation to the private hospital. I, for one, love to hear them knocking such things. It continually proves my point and lets Territorians see that members of the opposition just cannot accept a new idea. New ideas are just not part of their dogma.

To return to the issue at hand, advice that I have received in discussions with various professionals within hospital systems indicates that it is quite common and indeed desirable to have psychiatric patients in general hospitals. The Royal Darwin Hospital is designed to have psychiatric and maternity wards on the same floor but the Leader of the Opposition continually overlooks that fact. As the Chief Executive Officer of the Royal Darwin Hospital said this morning, there will always be possible changes and relocations at the hospital. That was highlighted by the Minister for Health and Community Services when he mentioned the fire safety upgrading which will mean that certain wards will have to close at various times in various parts of the hospital over 2½ to 3 years. There are plenty of areas there for investigation and the finding of possible solutions.

Mr Speaker, the matter of public importance has arisen from these issues. As I said in my opening remarks, I acknowledge that any incident involving mothers and young babies in a hospital will always be a matter of concern for the staff, parents and individuals involved and, if children are threatened, for every member of this Assembly. However, it is untenable to blow incidents up out of all proportion and to misrepresent some of the basic facts before the House. To then suggest that the minister is incapable or has failed to

provide secure, humane care and accommodation for psychiatrically-ill patients and is demonstrating ignorance of their plight, is taking things just a little too far. I have heard the minister address many issues in this House, many involving new initiatives in the delivery of health services in the Northern Territory. I believe that he is doing a great job and deserves the support of all Territorians, simply because he is operating a very large and difficult portfolio in very tight economic times. To blow up this matter of public importance, as has been done here today, really makes a mockery of the parliamentary process. I would not mind if at least half the debate were sensible but members opposite cannot seem to manage that.

Mr Speaker, I would say to honourable members opposite, as I did when I started to address this issue, that there is no doubt in my mind that this government is very concerned with the care and compassion offered to the mentally-ill and other sick people throughout the Northern Territory. I know that appropriate legislation is to be introduced and that the minister has some plans which he will be considering in the coming months. All of the issues are in hand and have been progressing steadily since the matter was raised last year in this Assembly. I have no doubt that, in a very short time, the issues that have been raised by the member for MacDonnell and the Leader of the Opposition will be shown to be what in actual fact they are: misrepresentations and the blowing out of all proportion of an incident that really did not endanger babies or their mothers. As well, the opposition's suggestions that particular people have been in various areas are incorrect and that has certainly been detailed by the honourable minister.

This government provides a high standard of health care and delivery of health services throughout the Northern Territory in very difficult circumstances. The minister deserves praise from honourable members for the efficient manner in which he manages his portfolio. We discussed the issues last year when we were dealing with various matters of public importance in this House. We saw them being brought on day after day, ad nauseam. In most cases, they amounted to misrepresentations of facts and opposition for opposition's sake. I think honourable members opposite, in particular the Leader of the Opposition, would serve themselves far better by directing themselves to positive initiatives in respect of matters such as health care instead of knocking the system and introducing a charade as an MPI.

Mr Speaker, the opposition failed miserably in trying to substantiate this MPI. There has been a misrepresentation of the facts, no doubt because the Leader of the Opposition has been ill-informed again. In conclusion, I commend the Minister for Health and Community Services for doing an excellent job in a difficult area in the delivery of health care to all Northern Territorians.

METEORITES BILL
(Serial 68)

Bill presented and read a first time.

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

This bill has been designed to provide a legislative mechanism to ensure that all meteorites and tektites discovered in the Territory become the property of the Crown. At present, the Northern Territory has no legislation to cover this area whereas each of the states has some effective means of securing meteorites as public property.

Meteorites are of immense scientific value. They are our most important source of extra-terrestrial material. Researchers prize them very highly because it is beyond man's technological capabilities to obtain samples directly from their source - the asteroid belt beyond Mars. In the past, South Australian meteorite researchers extended their activities into the Territory and investigated reports of new meteorites. These researchers performed a valuable public service because they secured their finds as public property, lodging them with the South Australian museum. However, these activities ceased effectively after World War II and this left a void in research activities as well as a lack of legislation to stop private groups from taking these extremely rare items from the Territory.

A major international sales catalogue, published last year, listed 31 meteorites from around the world and 4 of those 31 were meteorites from the Northern Territory. No other Australian material is listed and, although the 4 meteorites from the Territory comprised less than 5% of the Australian total, clearly the situation is unacceptable. In fact, the most recent meteorite was found in 1974 near Rabbit Flat and is now represented in a scientific institution in America by a single, thin section, perhaps 15 microns thick, covering part of a glass slide. I should add that a sample of that size would be inadequate for research purposes.

The government's concern is not that private collectors now own fragments of meteorites. Our concern is that meteorites are part of the heritage of the Territory and that new finds should be held by the Crown on behalf of the public. This legislation will not dispossess people who already lawfully hold meteorite samples, but it will provide for the protection of all new finds as the property of the Northern Territory. The control of these finds would be vested in the Museums and Art Galleries Board of the Northern Territory. This organisation is properly equipped to care for them, is able to present them to the wider public and can make material available for legitimate research around the world.

I should mention that there have been a comparatively low number of meteorite finds in the Territory to date. Experience elsewhere in Australia shows that pastoral development and mineral exploration has led to the discovery of many meteorites and this indicates that there may well be more meteorite finds in the Territory in the years to come. This legislation will bring our law on meteorites into line with that of the states. It will ensure an important part of our national heritage is protected and that sufficient material can be made available for legitimate research. I commend the bill to honourable members.

Debate adjourned.

DISCHARGE OF BILL

Mr MANZIE (Attorney-General): Mr Speaker, I move that Government Business, Order of the Day No 22, relating to the Bail Amendment Bill (Serial 57) be discharged from the Notice Paper.

Mr Speaker, I introduced the Bail Amendment Bill into this Assembly in September last year. The purpose of the bill was to create an offence of failing to appear in a court on a bail undertaking. I am advised that, in its present form, the bill will not adequately address the problem of bail defaulters in the Territory. I am also advised that the decision not to enact this legislation at this time will not cause major difficulties for the Territory's legal system. However, I point out that the withdrawal of this

bill will not see an end to the government's attempts to address this issue and I have directed the Department of Law to continue to investigate ways in which this problem can be addressed through legislation.

Motion agreed to.

INTERPRETATION AMENDMENT BILL
(Serial 60)

Continued from 28 October 1987.

Mr BELL (MacDonnell): Mr Speaker, I rise to place on the record of the Assembly the opposition's support for this bill.

It is an interesting bill for somebody with my interests. For example, I draw the attention of honourable members to the replacement of the phrase 'assent is given' with the phrase 'assent is declared'. Honourable members may indeed desire to spend a pleasant hour or two contemplating the semantic distinction between the giving of assent and the declaration of assent. Having got that far into the bill, my excitement was kindled. I read carefully through the second-reading speech of the Attorney-General and made some inquiries of Parliamentary Counsel who very kindly provided me with a paper from the New Zealand Law Journal on the dilemma of statutory commencement.

There has been concern over the possibility of laws being vitiated because, when a bill is passed by the parliament, there is some doubt as to the respective times for the commencement of that law and its provisions. I am reliably informed that this particular bill solves that problem. The Attorney-General may have information to the contrary, but I understand that no legal defence has ever been argued on this basis anywhere in the western world. This legislation simply ensures that such a defence is not possible in the future. I am quite happy to indicate that, as a rather less contentious piece of legislation than some which is currently before the Assembly, the opposition supports it.

Mr Speaker, if honourable members will bear with me for a moment, I will point out in passing that this particular amendment has something in common with the Police Administration Amendment Bill. It is a fact that this particular bill has not been presented to the Assembly because of any specific problems which have occurred before the courts and which require legislative solution. That is exactly the same situation as was evident in the Chief Minister's failure yesterday to specify any problem before the courts which would be solved by the Police Administration Amendment Bill. However, whereas the opposition has many problems with that latter piece of legislation, we certainly do not have them in this case.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

DISTINGUISHED VISITOR
Mr Roger Steele

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of Mr Roger Steele, former Speaker of this Assembly and minister of the Northern Territory government. On behalf of all members, I extend a warm welcome to him.

Members: Hear, hear!

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL
(Serial 69)

Continued from 28 October 1987.

Mr BELL (MacDonnell): Mr Speaker, the opposition supports this bill, which is concerned with the enforceability in the Northern Territory of judgments made in foreign courts. The bill amends the principal act so that a person can appear before a foreign court to contest that court's jurisdiction or to invite the court to use its discretionary power not to exercise its jurisdiction, without the person being deemed to have voluntarily submitted to that court's jurisdiction. If the foreign court proceeds to hear the action, any judgment subsequently obtained against that person could not be enforced in the Territory solely on the grounds that the person had appeared before the foreign court for those listed purposes. The point is that the bill makes it clear that the person must have voluntarily submitted to the jurisdiction of the foreign court.

Mr Speaker, I am not aware of particular case law in this regard but I would certainly be interested to hear of the applicability of this legislation and the amendment within the Territory. However, that may remain a closed book for some time.

Mr PALMER (Karama): Mr Speaker, this bill clarifies the enforceability in the Northern Territory of judgments given by courts outside Australia. The bill ensures that the provisions of the Foreign Judgments (Reciprocal Enforcement) Act or the common law in relation to the jurisdiction of foreign courts do not work against the rights of citizens of the Northern Territory who may have to appear before a foreign court for the purposes of protecting property or challenging the jurisdiction of that foreign court.

However, the bill raises also the question of judgments sought in interstate courts in relation to arrangements entered into in the Northern Territory. I refer particularly to the infamous actions of the Transport Workers' Union a couple of years ago when the union sought judgments in Adelaide against former union members resident in the Northern Territory who had chosen, for one reason or another, not to pay their union dues.

Mr Smith: They won too, didn't they?

Mr PALMER: We will get to that.

Mr Deputy Speaker, the actions of the union caused considerable resentment amongst those affected, both towards the union itself and towards the legal system that allowed their cases to be processed in a court 2000 miles away and in which they had no hope of putting their case or defending their position. I am not questioning the rights or wrongs of the case. However, I do suggest there is a general expectation within the community that, if one is to be

dealt with at law, one should at least be dealt with at or near one's place of residence. That did not occur when, in an opportunist action, the Transport Workers' Union chose to deal with Territory residents at law in a jurisdiction 2000 miles away. I would hope that, following on from this piece of legislation, the Attorney-General will address those particular matters.

Mr Deputy Speaker, I commend the bill to honourable members.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I am afraid that the previous speaker has provoked me and I must make some response. Is he saying that, in Australia, we should consider that Australian courts have no jurisdiction over Australian people? Is that what he is trying to say? If so, I am afraid that I completely misunderstood the member's point because, as I understand it, he is suggesting that if a court in Victoria, New South Wales, Tasmania or wherever rules that some activity in the Northern Territory is illegal, that such activity is not illegal.

Mr Palmer: I am saying they should not seek judgments in Adelaide from former members in the Northern Territory.

Mr LEO: If that is what the member believes, Mr Deputy Speaker, I am afraid that he knows very little about the arbitration system. Indeed, the Transport Workers' Union, of which I am a member and have been for many years, is registered federally. It is a federal union. It is a national union. Its activities are not confined to any one state and its awards are not confined within state boundaries.

Mr Palmer: What is wrong with processing people in Darwin through the law courts in Darwin?

Mr LEO: Mr Deputy Speaker, I would suggest for the edification of the honourable member that he pursue the matter further and that he attempt to educate himself in this regard before he opens his mouth in this House, because he has been talking and is continuing to ...

Mr MANZIE: A point of order, Mr Deputy Speaker! Debate is supposed to be relevant to the bill before the House. I cannot see that the comments of the member for Nhulunbuy are relevant in any way to the bill before the House and he should confine his remarks to its contents.

Mr BELL: Mr Deputy Speaker, may I speak to the point of order? If the Attorney-General is arguing relevance, he should probably have a word with the bloke behind him. I just draw the attention of both the Attorney-General, who is responsible for this ...

Mr Palmer: To whom are you referring?

Mr DEPUTY SPEAKER: Order! The honourable member for MacDonnell will refer to the member for Karama by his proper title.

Mr BELL: I draw the attention of the member for Karama and the Attorney-General to the actual title of the principal act: The Foreign Judgments (Reciprocal Enforcement) Act. It refers to foreign judgments, not interstate judgments.

Mr LEO: Mr Deputy Speaker, please may I speak to the point of order? That is all I want to do. I think you just nailed the lid on my coffin, sunshine.

Mr Bell: That's all right. You can make comparisons between foreign judgments and interstate judgments.

Mr DEPUTY SPEAKER: Order! I have allowed a fair amount of latitude in this debate. However, speakers must confine their remarks to the matter in hand.

Mr LEO: Thank you very much for your generosity, Mr Deputy Speaker.

I will not continue my comments on the contribution of the member for Karama. However, I think he should be reminded that this is not a piece of legislation which will affect any judgments within Australia. As the Attorney-General quite correctly pointed out, it has nothing to do with any decisions that are made by courts within Australia. It has to do with foreign judgments and, like my colleague the member for MacDonnell, I support the legislation despite the comments of the member for Karama.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I rise to thank honourable members for their contributions to this debate. I thank the member for MacDonnell for the unreserved support he gave to the details of this bill, the member for Nhulunbuy for his belated support and the member for Karama for the interest that he has shown in the entire matter.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

STAMP DUTY AMENDMENT BILL (Serial 80) TAXATION (ADMINISTRATION) AMENDMENT BILL (Serial 81)

Continued from 25 November 1987.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, the opposition supports the bills.

Motion agreed to; bills read a second time.

Mr COULTER (Treasurer)(by leave): Mr Deputy Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

RADIOGRAPHERS AMENDMENT BILL (Serial 82)

Continued from 25 November 1987.

Mr BELL (MacDonnell): Mr Deputy Speaker, the opposition's profound research into the contents of this simple piece of legislation has resulted in our support for it. The bill is consequent on the alteration of boards providing qualifications for radiologists. I understand that it is an administrative change rather than an alteration in terms of who is or who is not a radiologist. This is model legislation around the country and the opposition is quite happy to support it.

Motion agreed to; bill read a second time.

In committee:

Clause 1 agreed to.

Clause 2:

Mr DALE: Mr Chairman, I invite defeat of this clause.

Mr BELL: It has just occurred to me that, as it stands, this clause would have seen the act come into operation some 6 weeks ago. Of course, that would be illogical. I am not going to go to the wall on this but I would ask the minister to explain why it was not possible to legislate before 1 January when the Professional Accreditation and Education Board came into being. I would be interested to know why we have not been able to do this a little sooner than 6 weeks or so after the board has come into being.

Mr DALE: Mr Chairman, I would respond by saying that notification of this matter was not given to the government early enough for legislation to be introduced at a previous sittings.

Mr BELL: There are 2 points, Mr Chairman. I am quite sure that the members of the board are people of good faith who are not likely to disadvantage anybody because the legislation is not in place. The other point relates to commencement. If we remove the commencement clause, it will be deemed to come into effect when the Administrator gives his assent to it.

The question immediately arises as to when this initiative came to the attention of the minister and his department. I am prepared to accept his explanation that this bill saw the light of day in the Assembly on 25 November 1987. I appreciate that the gestation period for legislation is not elephantine but certainly can last for several months. Presumably, this matter was discussed at a meeting of the Health Ministers' Council and the decision to adopt model legislation around the country flowed from there. As a student of the process of government and as one responsible in the opposition for its invigilation, I would be interested to know at which ministerial council meeting it was discussed.

Mr DALE: I am afraid that the honourable member is asking me for details that I do not have readily available at this stage. He may recall that I was unable to attend the Health Minister's Conference last year because of illness and the details do not spring readily to mind. Mr Deputy Speaker, as I said in my second-reading speech, the Professional Accreditation and Education Board will issue a statement of accreditation to those who have completed the requirements necessary to be eligible for full membership of the Australian Institute of Radiography. My understanding is that this legislation will not in any way impair the issue of those statements.

Clause 2 negatived.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

LAW OFFICERS AMENDMENT BILL
(Serial 78)

Continued from 26 November 1987.

Mr BELL (MacDonnell): Mr Speaker, this bill is most unlikely to grab the headlines in the NT News but it is important business for the Assembly. The Attorney-General indicated in his second-reading speech that the purpose of the bill is to provide that the qualification for the Solicitor General be 5 years' admission as a practitioner in any Australian jurisdiction. Honourable members may recall that an amendment to the act was passed in 1984 or 1985 and that this inadvertently led to the situation where a potential appointee as Solicitor General would have had to have been practising in the Northern Territory for 5 years. That was because, under section 18 of the Interpretation Act and in the Legal Practitioners Act, the phrase 'legal practitioner' denotes only a person eligible to practise in the Northern Territory. Obviously, one can imagine circumstances in which it may be desirable, for example, to appoint a Solicitor General with 2 years' experience in the Northern Territory and 20 years' experience elsewhere. As the Attorney-General pointed out in his second-reading speech, that has not been the case either with the current incumbent or with the previous incumbent.

Mr Speaker with those few words I indicate that the opposition supports the bill.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

ADJOURNMENT

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

Mr BELL (MacDonnell): Mr Speaker, I wish to draw to the attention of honourable members a meeting which, surprisingly, has not been reported anywhere. I want to do this because meetings about contentious subjects, even though they may be held at officer level, are often discussed in the media. I would therefore like to take this opportunity of drawing to the attention of the Legislative Assembly the Australasian Land Administration Conference which, in fact, is in progress as we speak.

The first session of the Australasian Land Administration Conference is being held today. The conference is to continue over the next 3 days and I am sure that some of the items on the conference agenda would be of interest to honourable members. Today there is a general session on land administration but, tomorrow, there are to be 2 sessions followed by what I presume will be a most pleasant dinner at Mr Pickwick's hosted by the Deputy Secretary of the Department of Lands. I wish I could be there. The 2 sessions tomorrow will certainly be of interest to honourable members who have pastoral land in their electorates. The morning session will be on specific issues of degradation and conservation, including site inspections, and the afternoon session will be on the Northern Territory freeholding proposals. Discussions are to be held with the Chairman of the Rural Land Use Advisory Committee, Mr Grant Heaslip.

I am quite happy to indicate that I will be most interested in the fruits of those deliberations. My public comments with respect to that particular issue are well and truly on the record. It is a matter of serious concern to me that the Northern Territory government is considering this freeholding proposal as a wildcat scheme completely out of step with range land management proposals elsewhere round the country. However, I do wish conference participants well in their deliberations and hope that those deliberations are fruitful.

I once again reiterate - actually, that is a tautology. The staff of the member for Fannie Bay will no doubt be relieved that once again I reiterate. That is definitely an entry in this year's competition. However, I reiterate the concerns that I expressed last evening about the ambulance service at Yulara. I am hoping that, at some stage, the Minister for Health and Community Services will give us some joy in that respect.

Mr Dale: I am going down there at the end of this month.

Mr BELL: That is not really satisfactory. In the context of the election campaign 12 months ago, the government said that it would provide a new ambulance for Yulara. The government has not come good on that. I was prepared to accept that there might be some value in the review that the minister said was being carried out ...

Mr Dale: 'Who speaks for Yulara?' is my question.

Mr BELL: Goodness me! It sounds to me as though my poor constituents at Yulara are about to be visited with an exercise like the one that was visited upon Katherine. Whoever wants to take it on, Mr Deputy Speaker, I hope they will not be treated with the same contempt as were the folk who did the job at Katherine.

Mr Dale: I will fix it mate, no worries.

Mr BELL: I certainly hope that during this adjournment debate the honourable minister can give me some joy about the ambulance service there. Likewise the Minister for Conservation, who has been remarkably silent. I thought he might have taken the opportunity to introduce a statement about the museum being placed in the shopping centre, which is an extraordinary innovation, and also a statement about the financial obligations that have been undertaken by the government in that regard. I remind the honourable minister that the placement of the museum in a shopping centre strikes me as strange. It needs some explanation. For example, I wonder whether the people who are involved with the management of the Araluen Arts Centre are completely happy about that proposal. I would be surprised if they were. The member for Araluen might be able to advise us in that regard.

Mr Perron: I guess they would rather we built a museum.

Mr BELL: The member for Fannie Bay has interjected. I am not sure whether the building of a museum was necessary but I would be interested to know whether it was possible, within the context of that particular complex, to use this sort of collection to enhance the viability of the arts centre. Arts centres do not find money easy to come by. It would be a natural proposal to put a museum in an art centre. I suggest that the arrangement that the government has lent itself to in putting this museum into a shopping centre is quite extraordinary. I think that some explanation from the Minister for Conservation can be expected in that regard.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I have a few matters I would like to bring to the attention of honourable members.

I was interested to read in the Department and Transport and Works Annual Report 1986-87, under 1986-87 capital works, about different projects that have been or are being built. The report gives a description of the project, the name of the principal contractor, the date the contract was let, the project value, the previous year's expenditure, the 1986-87 expenditure and the expected completion date. In the pages I am referring to, the amount to be spent on each capital works item is stated quite clearly and the names of most of the contractors are written down for everybody to see. What concerns me is the anonymity attached to certain large projects. We see that, in 1986-87, $1.525m was spent on the Marrara Sporting Complex. However, no contractors are named; there is just the word 'various'. In 1986-87, a sum of $6.471m was expended on renovations to the old Darwin hospital building for the University College. That is a pretty large sum of money but, again, no contractors are identified. There is just the description 'various'. We see the expenditure of $4.061m on the Berrimah Police Centre for provision of training facilities but, again, there are no contractors' names.

I believe that everything is on the level in the awarding of these contracts. However, things not only have to be right; they have to look right. If all contracts name the principal contractors, we can be assured that they are reputable and that everything is proceeding as it should. I dislike the inclusion of the word 'various' instead of identification of the actual contractors. It lends itself to speculation that perhaps somebody did not want the contractors named. I draw this matter to the attention of the Minister for Transport and Works and advise him that I will be pursuing it further. I do not like this anonymity. I like to see where public money is being spent and which firms are awarded large contracts.

Mr Speaker, I have some information which relates to what I believe to be a gross injustice inflicted upon 2 people who were constituents of mine when my electorate extended to the other side of the Stuart Highway. They are now constituents of the Treasurer but I do not think he is very concerned about their problems. These people, who have given me permission to use their names, just do not know what to do now. They are Mr and Mrs Gilbert and, at the moment, they are running Silver Secondhand Shop. They live in an area zoned residential 1, which is a non-industrial area of 5-acre subdivisions, and they opened up the business in 1985. They started to sell second-hand goods and they called the business Silver Secondhand Shop. This did not meet with any disapproval from local residents: all the people in the area were quite happy to go there and buy, sell or swap second-hand goods. I believe that the Gilberts did a pretty good job because, by selling good second-hand materials, they put the building of a house within the means of many people in the rural area.

An unfortunate incident then occurred: somebody dobbed them in. It was not a local person; they had only support from local people. They were dobbed in to the Planning Authority in April 1985 and the Planning Authority suggested that they cease their business. They made application for a development consent in May 1985 and in July 1985 they were advised that their application for operating Silvers Secondhand Shop was unsuccessful. In April 1986, they put in an application to rezone and in May 1986 that was rejected.

Then, a funny thing happened, Mr Speaker. An objection was lodged by a Mrs May Stevens. I have been around the Darwin area for a few years. I know

a few people and I know my way around government departments but, try as I might, I could not locate Mrs May Stevens. I believe Mrs May Stevens was a pseudonym for a lady who lives in the rural area. All the local people have a pretty fair idea of who Mrs May Stevens is but we could not track her down officially. She appeared on no rolls; she was completely hidden somewhere. The funny thing is that the Planning Authority paid more attention to this mythical Mrs May Stevens - we know who she really is, but she was mythical for this exercise - than to 230 people who wrote letters of support, on their own initiative, without being approached by the Gilberts.

I am accusing somebody of setting out deliberately to cause this situation, saying: 'We will not give these people a permit to operate their business until they prove that they can operate it, and until they have gone through all the processes of appeal. We are going to make it as difficult for them as possible'. I will tell you how difficult they made it, Mr Speaker. They made it difficult to the tune of $25 500. That is what it has cost Mr and Mrs Gilbert to subsequently appeal successfully. I do not think that is fair. That is a great deal of money in my book and it is much more money in theirs. It is ridiculous that people should have to pay approximately $25 000 to establish the right to set up a business.

To return to this mythical Mrs May Stevens who lodged an objection in May 1986, nobody could find anything out about her. She certainly did not front up to the Planning Authority. In July 1986, the Planning Authority threatened to prosecute the Gilberts unless they ceased their operations. In August 1986, the Planning Authority threatened legal action unless the Gilberts lodged a complete development application. This was lodged in August 1986, and in October 1986 it was rejected. Then came the appeal. The Gilberts appealed in November 1986. If I described what followed as fiddle-arsing, Mr Speaker, you would probably ask me to withdraw the word, but you know what I mean. It was a lot of fiddle-faddle.

The Department of Lands and Housing and the Minister for Lands and Housing, because he is finally responsible, have made it so difficult for ordinary people to represent themselves that they were forced to employ solicitors. They appealed in November 1986. The points of claim and the points of response were exchanged and a preliminary meeting was conducted by the Chairman of the Planning Authority in February 1987. The hearing was then planned for March 1987. In May 1987, the final addresses were delivered. At the end of May 1987, the committee, which was comprised of parties representing the government and the Gilberts, produced a draft with reasons for its decision and requested parties to exchange documents. If this were not so serious, it would be like a Gilbert and Sullivan opera. Unfortunately, it has cost the Gilberts about $26 000.

They have been able to re-establish their business after being forced to close down. The restrictions imposed on them include landscaping. I do not have any objection to planting a few trees. They are only allowed to have 1 sign on their site. I would like to count how many signs some people have on their sites in town. On that sign, which cannot be more than 1.5 m^2 in area, they can only have the name and nature of their business and nothing more. They are not allowed to auction some things, including livestock, and they are only allowed to auction once every 2 weeks. Also, they have to provide parking for 52 vehicles.

Do not forget, Mr Speaker, that these are the people who, when they set up business, received nothing but support from the local people. They have struck restrictions all the way down the line with the Planning Authority and

with certain officers in the Department of Lands. I tried repeatedly to arrange a meeting between them and the Minister for Lands and Housing. No doubt he is tied up and his time is at a premium. I do not know what he can do for them, whether he can refund any money to them or whether they can get any help from somewhere. They are still battling on and they intend to pay off the money but it will take them a long time. If ever an injustice was done, it was certainly done to these people in the name of the Northern Territory government's administration of justice.

Mr Speaker, my attention has also been drawn to another injustice, perhaps not on the part of the government but certainly on the part of the Darwin City Council. Honourable members may not know that there are quite a few taxi drivers around town who cop a $30 fine every time they drop a passenger off. I have not checked this out myself because I only received the information today but I believe that the sooner it is publicised, the better. Because there are so many double lines in the streets, a person who rings for a taxi in the city is not allowed to be picked up from the front door of the shop or wherever they are. The taxi driver has to find a parking place and then go and get the person. This can be very difficult in Darwin with its lack of parking space. The person waits for the taxi and sometimes, while the driver is parking, the client takes another taxi, in which case the driver loses his call. Alternatively, the driver may cop a $30 fine from the very active parking inspector who is working for the city council.

I am not saying that people should not pay legitimate fines, but I think that this situation is grossly unfair to taxi drivers. Surely they are not holding up traffic seriously if they just pick up a passenger or set one down on a double line. It seems, however, that all these $30 fines indicate that there is another injustice which should be aired. I am bringing it forward today on behalf of a taxi driver.

Mr HATTON (Chief Minister): Mr Speaker, as I did last night, I rise tonight to pay my respects to 2 gentlemen who have passed away since the last sittings. The first is a gentleman known as Tom Roberts, who was known to many as Telecom Tom or the 'Mayor of Barrow Creek'. Tom was born in Charters Towers in 1912, reputedly under a gum tree by a billabong where his woodcutter father had set up camp. His mother died 3 weeks later.

His early years were spent with goldmining companies in the Charters Towers area and, in his time, Tom was a stockman, a rodeo rider and an amateur jockey. He joined the army after the outbreak of World War II, served in New Guinea and was mentioned in dispatches for bravery in action.

In 1947, Tom joined the PMB as a Telecom linesman and later became acting lines foreman in the Charters Towers district. In 1952, Tom Roberts was appointed to the foreman's job at Barrow Creek, supposedly for 3 months while another chap was on holidays. Tom himself recounted the story: 'I told my wife Mary I had been promoted. She asked me "Where to"? I said, "Barrow Creek". "Where is that"? Mary replied. I said, "I don't know. In the Territory somewhere".' Apparently, Tom's wife reckoned she could not go to Barrow Creek and leave the children behind and so Tom, as the breadwinner, set out on his own to take up his promotion, leaving Mary and the children in the Charters Towers area. Tom's 'temporary' job must go down as the longest on record. Telecom Tom ended up spending a quarter of a century as Barrow Creek's lines foreman and, after retiring in 1977, he stayed on for another 9 years as caretaker of the historic Barrow Creek Telegraph Station. Even after 30 plus years, Tom used to jest that he was still passing through.

The history of the overland telegraph is one of the Territory's epic stories, a saga of courage, loneliness and adventure. To a single strand which tenuously connected Australia to the world in 1872, a second copper wire was added in 1880 and then, in 1941, with the demands of wartime and the work undertaken on the Stuart Highway, a telephone repeater was established at Barrow Creek behind the old telegraph repeater. It was Tom Roberts' responsibility to maintain that telephone link. His particular territory was the open wire that stretched from Aileron to Wycliffe Well. Everyone who knew old Tom would agree wholeheartedly that he earned for himself a special place amongst those pioneers, heroes and frontiersmen who kept open the lifeline that spanned the continent.

During his first 5 years in Barrow Creek, Telecom Tom worked 12 hours a day, 7 days a week to get his 225 km of line up to scratch. The open wire remained the Northern Territory's communication lifeline right up until 1972 when the Darwin to Mt Isa microwave link was installed. Even then, the old telegraph line continued to be used as an essential backup until 1986.

The historic Barrow Creek Telegraph Station was more than a vital link in Australia's communication. For Tom Roberts, it was his home for 34 years and for many weary travellers it was a citadel in the wilderness, a beacon across the empty plains that promised company, accommodation and tucker. Many people might have considered it a lonely life in the settlement which boasted a population of some 11 people, a pub, a petrol pump, a house and a store - but not Tom. Dubbed the 'Mayor of Barrow Creek', he was never short of visitors and was happy holding court in his corner of the Barrow Creek Hotel. There he would entertain the locals, spin his yarns and befriend those who were passing through, perhaps inviting them to have a fennel with him. I was lucky to be amongst those who shared a drink and a yarn with Tom during my travels up and down the track.

The hustle and bustle of city life were not for Tom. Apparently, he went to Darwin twice. In Tom's words, 'The first and the last time'. Trips to Sydney, Melbourne, Adelaide and Brisbane led Tom to form exactly the same opinion. After all, back home in his beloved outback, Tom was in the thick of the social set. He was President of the Barrow Creek Turf Club for 25 years and a life member. Tom was frequently called upon to judge at Alice Springs rodeos and was asked to umpire the annual cricket match at Wauchope. As the 'Mayor of Barrow Creek', Tom was prevailed upon to officiate at all sorts of events. No matter what the circumstances, Tom was one of nature's true gentlemen, renowned for his unfailing courtesy, his well-worn silver spur hat, cowboy boots and pressed khakis.

Some idea of the measure of the man can be gauged from his retirement function in 1977, when more than 100 people turned up to pay tribute to Telecom Tom. Not long afterwards, Tom was called to the phone from the corner of the Barrow Creek bar to be told he had been awarded the Order of Australia for his services to the public and to Telecom in maintaining the telephone lines. When Tom finally left Barrow Creek in 1986, to return to Charters Towers and his wife Mary, whom he had supported from afar for many years, it was a grand excuse for a huge send-off party. This time, more than 1000 people - Telecom officials, staff and friends - travelled to the tiny township from all parts of the Territory and from interstate to farewell the legendary 'Mayor of Barrow Creek'.

Tom Roberts died in Charters Towers on 8 February, not far from where he was born 76 years earlier. He leaves behind him his wife Mary and his 2 children, Bill and Delma. To them and their families, on behalf of this

Assembly, I extend heartfelt condolences. A memorial service will be held in a few weeks time in Barrow Creek where, in accordance with Tom's wishes, his ashes will be interred. This remarkable Territorian, Officer of the Order of Australia, a man of integrity and dedication, was held in great esteem by his many mates, his colleagues and fellow Territorians. Tom Roberts will live long in the memory of those who knew him.

Mr PERRON (Industries and Development): Mr Deputy Speaker, I rise in adjournment debate today, and that is perhaps a little unusual. Ministers have plenty of opportunities to speak in the House and I do not often take the opportunity to speak in the adjournment debate. However, I thought that I would put on the record a view of mine which has been growing of late and which has been reinforced to some degree by a paper I received recently by courtesy of the Minister for Lands and Housing.

The paper emanated from a Territory representative at a conference called Greenhouse 87 which was held by the CSIRO's Division of Atmospheric Research at the Monash University in Melbourne during the first week of December last year. As honourable members can imagine, the conference was held to discuss matters surrounding what is called the 'greenhouse phenomenon'. Some 300 to 350 delegates from around Australia and overseas attended the conference, many of them researchers but some of them simply interested persons.

'The Greenhouse Effect: Fact or Fantasy' was obviously a paper which related to the conference theme. It appears that amongst all the evidence produced by those who advocate that there is such a phenomenon, there are some fairly convincing facts relating to air samples taken from polar-ice cores which date back some hundreds of years. These samples are used by scientists to analyse exactly what the air was like in pre-industrial times. Carbon dioxide and methane, which have increased significantly in the world's environment in the last 200 years, are part of what is contributing to a warming in the earth's atmosphere. The major source of carbon dioxide, the most prominent of the greenhouse gases, is the burning of fossil fuels in developed countries. At the same time, fluorocarbons and other introduced gases in the atmosphere are known to be reducing the ozone layer of the stratosphere, allowing more heat from the sun to penetrate the earth's surface. Other factors, such as global deforestation, increase the carbon dioxide concentration in the atmosphere as well. As a result of these types of effects, it is believed that global atmospheric and sea surface temperatures are rising. The writer of the paper drew the conclusion that even the sceptics seem to accept these matters of rising temperatures as matters of fact.

The difficulty arises when conclusions are drawn in relation to the effects of these phenomena. The writer of the report on the conference said that, despite varying predictions of what will happen, a great majority of informed opinion accepts that, within 30 to 50 years, 3 effects are likely to be experienced: atmospheric warming will cause climatic change, especially in the temperate zones; precipitation in summer rainfall areas is likely to increase, possibly through more intense events rather than greater distribution; cyclonic activity in the tropical zone is likely to increase, with more severe and possibly more frequent events. Cyclonic influence will probably extend further from the equator, potentially causing significant destruction to areas not previously in jeopardy. Other weather systems are also likely to move towards the poles, changing temperature and rainfall patterns now experienced. Ambient sea levels will probably rise by more than 1 m, mainly due to thermal expansion.

The extreme predictions of some environmentalist lobby groups suggesting rises of several metres in sea levels, due to melting of polar ice, are not supported by researchers at this time, although some ice melt may contribute to the rise in sea levels. Climatic changes and rising sea levels are likely to cause other significant changes. These include: rising water tables, with associated soil salinity and drainage problems; a rising snowline; increasing soil erosion potential, and greater hazards for urban and rural areas through extreme weather events.

Mr Deputy Speaker, those are the generally-held views in relation to likely changes within the next 30 to 50 years. Certainly, that is the time period that the government should begin to keep in mind in some of the things it does in settling the place. The present uncertainty does, and will, provide eco-doomsters with a fertile background for gloomy predictions. However, when we consider the gloomy predictions, we should not totally rule out consideration of some possible benefits from these changes. We should not be all gloom. For example, agriculture in areas of marginal precipitation may, in fact, become more viable. Considered on a global scale, that could be significant.

In the Northern Territory, the sorts of effects that we would have to take very seriously are, of course, the possible increased frequency and intensity of tropical cyclones and the impact of storm surge and a rising level in the highest astronomical tide. Those are certainly important factors to be considered when planning cities and towns in the Northern Territory. Areas south of Katherine could become more attractive for both pastoral and agricultural use if rainfall levels increased. On the other hand, towns like Katherine, Borroloola and Alice Springs would face increased flooding hazards. Alice Springs could face further rises in its water table and soil and ground water salinity might be increasing all the time. An increase in precipitation would mean that our natural ground water basins would become even greater assets than they are at the present time. So, not everything is on the downside; there could be benefits as well.

The paper goes on to say that a convincing case was outlined to suggest the inevitability of changes to our climate as a result of the greenhouse effect, as the planet is now responding to what has already occurred as a result of human behaviour. A reversal of the common practice in burning fossil fuels is neither economically nor politically feasible. In fact, developing countries are at the threshold of becoming new burners of fossil fuels and would not be receptive to suggestions from the developed world that they retard their progress in the interests of the planet's health. A voluntary reduction in living standards throughout the developed world is even less likely. There are no economic and universally-acceptable alternative energy sources to offer in exchange for the burning of less fossil fuels. Nuclear energy is the only system which even comes close.

At this point, I will digress from the contents of the paper. The paper and the conference did not further explore what I would term 'the nuclear solution'. Indeed, I think that rather than looking at possible solutions to problems, the conference was primarily concerned with whether there was a greenhouse effect or whether it was all a myth and, secondly, if it exists, what its effects are likely to be. No doubt, in coming years and decades, there will be more scientific study, research and conferences on this subject, and they will investigate solutions as well as identifying the problem.

The principal reason for my being on my feet, Mr Deputy Speaker, is to say that I believe that we may find in years to come, through research, that the

long-term saviour in terms of the future of mankind on this planet may well be the advent of nuclear generation of electricity on a massive scale. By a massive scale, I mean expansion to the extent that nuclear-generated electricity entirely replaces the burning of fossil fuels. Hopefully, in 40 to 50 years, we may have fusion reactors which will resolve a great many problems. I am sure that there will be a lobby group then, arguing that they should not be built because one of them might blow up and kill somebody.

The environmental movement across the world currently spends the most enormous resources and energy in opposing the nuclear industry. I appreciate that, in many cases, people involved are motivated by the advent of nuclear weapons in the world rather than just an objection to nuclear reactors. Certainly, where the nuclear reactor industry is under way around the world, the environmental movement goes to enormous lengths to shut it down. I believe that, over time, most of those groups will drop their opposition to the industry and become advocates of the nuclear generation of electricity because it may well be the only possible alternative to an inevitable and considerable depreciation in the earth as a pleasant place to live.

I have a very interesting quotation that I would like to use at the end of my contribution to today's adjournment debate. It was the conference theme. Bear in mind that the conference was looking at whether there is a greenhouse effect. If there is, does it really matter? If so, what should we do about it? I will quote the theme of the conference. It says: 'If we live as if it matters and it doesn't matter, it doesn't matter. If we live as if it doesn't matter and it matters, then it matters'.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I listened to the minister's speech with some considerable interest. I would like to think that one day those people who run around with these stickers 'Solar not Nuclear' on their vehicles will suddenly wake up to the fact that solar is nuclear. Some of them are right off the track. Fission and fusion are occurring in the sun and a multitude of reactions are happening there.

Member interjecting.

Mr COLLINS: You don't have to be there. You can analyse it from the material given off and the light coming from the sun.

I was interested in the minister's speech about the greenhouse effect for a number of reasons. There is debate as to whether the effect exists or not. In recent days there have been a tremendous number of newspaper articles regarding the ozone layer and its suggested depletion. I will explain a little about the chemistry for members, and I do not really care much whether they understand or not.

The ozone layer is a layer in the upper atmosphere where ultraviolet radiation is absorbed by oxygen molecules; that is, O_2. It raises the molecules to an excited state and converts them: 3 O_2 molecules will come together and produce 2 O_3 molecules, which is ozone.

The expression 'ozone theatre' derives from the days when people used to produce ozone to make the air in the theatre a little fresher. Unlike the ordinary O_2 oxygen molecules, ozone has an odour. It can be produced by electrical discharge. If you have a device creating electrical discharge, you can produce ozone. That occurs because the ultraviolet light excites the O_2 molecules and produces the ozone. The ozone is unstable and will revert to O_2 molecules. In the process, it will re-emit the photons of light which it

absorbed in exciting the O_2 molecules. However, the interesting thing is that they are then spread at random. Only the molecules directed at the earth come in. As a result of the random spread, a tremendous amount of the ultraviolet radiation does not get through to the earth.

In the last few months, there have been stories about the ozone layer becoming depleted. Compounds called chlorofluorocarbons constitute the propelling gas in some aerosol cans but I am told that only about 20% of those produced in Australia are driven by chlorofluorocarbons. The gas in refrigerators also contains chlorofluorocarbons and, whenever a refrigerator develops a hole, there is a tendency to allow the gas to escape before repairing the problem and filling the refrigerator with new gas. Chlorofluorocarbons are released into the atmosphere as the gas is allowed to escape.

I guess I will have egg on my face if I am wrong and I trust the man in the press box is not listening anyway. Nevertheless, I have been told during the last couple of weeks - and I checked by phone this morning with a friend who is involved in the industry - that the measurements of the ozone layer and its depletion were done by the NASA's Nimbus 7 satellite. What I have been told is that, on about 17 March, a report will be released by the American Congress indicating that there has been trouble with the instrumentation on the NASA Nimbus 7 satellite and that the measurements are distorted.

This is in the nature of inside information. I have been told that there is one CSIRO scientist who has been very closely allied with a NASA project in Australia and who has a copy of the report which is being studied by Congress. That may be a degree of good news. However, if the ozone layer is depleted, that will mean more ultraviolet light, more sunburn and more skin cancers. No doubt, there would be some effect on the general temperature of the atmosphere and the earth. It would affect a whole range of things, as the minister has indicated. He mentioned the possibility of increased flooding in Alice Springs.

I did not know what the honourable minister intended to talk about, but I have brought to the Assembly a pamphlet which has been issued by the Director of Emergency Services in Alice Springs. It is entitled 'Flooding in Alice Springs'. It contains some very good advice. It discusses potential flooding, but people still do not understand the way that water resources people talk about the probability of flooding. I would like to try to explain it, even though I have raised this subject many times in this House - and I do not apologise for that at all.

If I toss a coin and get a head, there is no guarantee that the next toss will be a tail. You can toss a coin any number of times and obtain random results. However, if one tossed that coin 10 000 times and recorded each outcome, one would find that there would be very nearly equal numbers of heads and tails, provided the coin is fair.

Mr Palmer: If you toss it exactly in the same manner and to exactly the same height.

Mr COLLINS: That is not necessary at all. I am sure that you understand that, Mr Speaker, even if the member for Karama is trying to be perverse.

In the same manner, water resources people may talk about a flood of a certain height that they expect to occur once in a 100 years. That means that, in a 10 000-year period, there would be a hundred such floods. You

could not predict when a flood would occur. You might have 3 within one month and not have another for 500 years.

Alice Springs is in a position where it could be in danger. The pamphlet outlines where the floodwaters would reach. It also mentions that there could be further flooding because of local effects. We have already had some of those floods in isolated areas as a result of rains, particularly in 1983. There is good advice. It talks about the risks and about the warning system on the Todd River which will give people some warning. Darwin people receive general advice in relation to cyclones such as the need to listen to the radio, have certain equipment on hand, turn off the power, not to go sightseeing and to evacuate to areas where danger is not expected.

However, I still maintain that, where there is a method - even if it does cost a few million dollars - of safeguarding against potential flooding, the government ought to be looking at it. Despite all the political problems of sacred sites and the Commonwealth government declaring the area above the telegraph station as a national park, it still has to be done. Recently, I have been encouraged in relation to this matter. I have spoken to one of the Apex clubs in Alice Springs and it indicated that it understood the problem more fully and is much more interested. I have spoken to people within the Labor Party in Alice Springs and at least 1 of the branches understands the problems. It has been raised at its meetings and the members of the branch are concerned.

I am encouraged by this, Mr Deputy Speaker. People can see that we will all be in it together if one of these floods occurs. I have been told unofficially - and I certainly will not reveal my source - that if a 1-in-100 year flood had occurred in Alice Springs a year ago, there would have been an estimated $50m worth of damage to property. In the March 1983 flood, 3 people were drowned. That flood was a 1-in-13 year probability flood. I am horrified at the thought of how many could die in a 1-in-100 year flood. The repercussions would be felt for generations.

I would urge the government to examine the problem and to go to the federal government in an effort to obtain a bipartisan approach to this matter. There is nothing more certain than that floods do not discriminate between black and white, Country Liberal Party, Labor, independent and anything else. They could be extremely damaging. I urge the government to attend to this. I know it is a difficult political matter but it needs to be taken up and worked on - and worked on in a bipartisan manner. The town that I live in is important to me and it is important to the people I represent. I would not be doing my job if I did not keep urging the government on this matter, and I do not apologise for doing so.

On a slightly different note, I was pleased to receive a phone call yesterday from the CSIRO in Adelaide. A lady rang me on behalf of Dr John Possingham, the man in charge of the Division of Horticultural Research of CSIRO, in connection with a conference I will be attending on 8 March. The subject is - would you believe it, Mr Deputy Speaker - table grapes. I am paying my own way too, in case anybody has any problems with my attendance. Dr Possingham will be bringing down 25 quandong trees. The quandong is the Australian native peach and CSIRO is working to improve its quality to make it the second Australian native plant which can produce horticultural crops. That would give it some world renown and I am very pleased and excited about the possibility that the Territory and myself will take part in this research. I am certainly looking forward to the day when, perhaps, central Australia becomes a source of commercial quandongs. Tourists

and all sorts of other people would find them very palatable and something quite different to the norm.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I rise tonight to pay tribute to a man who was a resident of my electorate and who died on 21 January this year. This man played a key role in the modern history of the Northern Territory. He was a great leader of his people, the Gurindji, and an inspiration to all Aboriginal people and, indeed, all Australians.

He pioneered Aboriginal land rights at a time when such a concept was barely more than a far-off dream. He led the historic 1966 walk-off of the Gurindji Aborigines at Wave Hill Station, when dozens of Aboriginal stockmen and their families walked off the cattle station and camped in the river bed at Wattie Creek. At the time, Aboriginal stockmen were paid $6 a week plus rations of bread, beef and salt. Of course, I am speaking of Vincent Lingiari. Vincent said at the time that he and his people would no longer be treated like dogs, and so began a strike that defied the Vestey Pastoral Group and inspired Aboriginal people throughout Australia.

Wattie Creek became a symbol. The action of the Gurindji spurred other Aboriginal groups in the Victoria River district and, later, at other places, into joining this struggle for justice. Vincent's stand at Wattie Creek stirred the national conscience and, the following year, Australians voted in a referendum to change the Constitution to allow Aborigines the same rights as other Australians. The Wattie Creek fight lasted close to a decade. Led by Vincent, the Gurindji made the first land claim in Australia and, in 1975, they were finally granted title to 3200 km² at Wattie Creek, now known as Dagaragu. Because of this historic event, Vincent became known as the father of Aboriginal land rights. He was awarded the Order of Australia in the Queen's Birthday Honours for 1986.

Seldom travelling away from Dagaragu, Vincent was happy to spend his life on the traditional land he had helped win for his people. He was buried in his homeland. His funeral service was held in Kalkaringi and it was attended by some 500 people who gathered to mourn the passing of this great man. Among those people were members of this House and representatives of the federal government as well as friends from around the Territory. This man of integrity and courage deserves the respect of all Australians, Aboriginal and non-Aboriginal alike. His passing is a reminder of the great changes that have been achieved since his stand in 1966.

Mr Deputy Speaker, I made a point of visiting Vincent on each of my visits to Dagaragu and I always came away feeling as though I had gained something from him. In his later years, he was bedridden and nearly blind, but he still had a very sharp mind and the ability to show people that he was a true leader of his people. Unfortunately, on my visit to Dagaragu just prior to Christmas, I was told that he was too ill to see me. I did not get another opportunity to see him but I was fortunate in being able to attend his funeral. On behalf of this Assembly, I pay tribute to this remarkable Territorian and offer our condolences to his family and all his people. The spirit of Vincent Lingiari lives on.

While I am on my feet tonight, I would like to touch on something that is likely to affect the Northern Territory and all of Australia, particularly the Aboriginal people of Australia. That is, the Aboriginal and Islander Commission that is being proposed by the Minister for Aboriginal Affairs. For those who do not know, the new Aboriginal and Islander Commission will bring

together: the Department of Aboriginal Affairs; the Aboriginal Development Commission, which is the commercial or building arm of the Department of Aboriginal Affairs; Aboriginal Hostels, which is a houser of Aboriginal people functioning mainly in urban areas; and the Aboriginal Institute.

Mr Deputy Speaker, there is need for caution in this area. There is need for consideration and there is a need for much discussion. The Minister for Aboriginal Affairs, to give him credit, is travelling extensively. He is travelling around the Territory and around Australia. But, unfortunately in my view, he has imposed too tight a time frame on Aboriginal people and Australians generally in terms of arriving at a realistic proposal that will operate and be of benefit to the Aboriginal people. In areas around the Northern Territory where meetings have already been held with the minister, many of the people who really could agree or disagree with this proposal were not able to attend. Usually, the meetings have been held in major centres and, in many cases, only 2 or 3 representatives of a community were able to get along to speak or to listen at those consultations.

Mr Deputy Speaker, as you may be aware and certainly I am, very seldom do the people who can really speak for Aboriginal communities and Aboriginal country get to attend those meetings. Normally, the articulate, educated, younger people have to take back the words that are spoken and discuss them with their elders before any agreement can be made. In this instance, however, we find that discussions are taking place and that, for whatever reason, the minister is saying publicly that he is getting a positive response.

I also have travelled around the Northern Territory to visit Aboriginal communities in the last few weeks because of these discussions, in order to obtain a first-hand response which satisfied me as coming from the people. I have found that there is quite widespread discomfort with the time frame laid down by the minister and considerable concern about the boundaries that he wishes to impose on the people of Australia. The initial proposal divided Australia into 28 regions and 6 zones. In that proposal, the Northern Territory had 5 regions as did the state of Western Australia. Queensland had 6, South Australia 3, New South Wales 7 and Victoria and Tasmania 1 each. There is considerable inequity in that proposition, and I think that the minister has become aware of that. Essentially, the minister has made quite dramatic changes to the boundaries during the course of discussions. There are now 58 regions and, I believe, some extra zones. There is considerable concern here about the time frame. The result is to be in place by 1 July this year, but the fact is that there is no way that this discussion can really bring about a clear and unequivocal answer from Aboriginal people in that time. It is just not possible.

There is also a concern that governments have not been included in the discussions. In fact, there was no consultation with the Territory government, apart from the delivery of documents, on how the proposal might affect what we have in place in the Northern Territory. That has also been the case in the states. I have written to the Minister for Aboriginal Affairs expressing my concerns and the concerns of the government. Also, I have written to local government ministers in other states along the same lines. This particular proposal is likely to have a great impact on local government in the Northern Territory. There is no doubt at all in my mind that our community government legislation is at the forefront of local government legislation in this country and is seen as such in the states. These proposals, however, pay no tribute at all to that legislation and, in fact, bypass it completely. There is certainly potential for conflict there.

There is also potential for conflict with the responsibilities of the Territory government and state governments. Obviously, if there is direct representation to the federal minister regarding all aspects of funding to Aboriginal people, in the long run that will have an impact on the Territory government's ability to provide services to those people. There are likely to be 2 separate governments. That, of course, would not be satisfactory to me and I am sure it would not be satisfactory to the majority of people in the Assembly. This proposal harks back to the old National Aboriginal Conference which we all know was a failure because the power was in the hands of the vocal minorities in the urban areas. There is certainly potential for that in this new proposal because most of the power will reside on the eastern seaboard and in the major centres. That will not truly represent the views of Aboriginal people in this part of Australia.

I believe that traditional Aboriginal people should be very wary of that particular commission. If they are not, they will be doing themselves and their future generations a great disservice. It will have an impact on them. I am pleased to be able to say that the majority of Aboriginal people that I have visited are concerned. They are not totally opposed to the concept. There are some good reasons for combining those areas of support that the federal government provides to Aboriginal people. However, these people are concerned about the way that they will be represented on this commission. They have a concern with the time frame, which would have all of the measures in place by 1 July. Basically, the attitude of the minister in this regard is: 'Don't worry about that. We will fix it all up after we put in in place'. If he thinks anyone will believe any government which says that, more fool him. I do not believe the Aboriginal people of the Northern Territory will be so foolish. In fact, they are certainly expressing those concerns.

Mr Deputy Speaker, I would like to place on record my concerns for the Aboriginal people of the Northern Territory and I am certainly consulting with the minister in this regard. I met with him in Alice Springs last week and reiterated my concerns. Unfortunately, it was difficult to get anywhere in the discussion because the outcome of the meeting was, essentially, agreement with everything I said. I find that very difficult to accept because the whole idea of the proposal is to put the responsibility for the funding of Aboriginal communities into the hands of this commission. In many ways, it exonerates the minister although he does have the right of veto, which is also a worry to Aboriginal people. Basically, it exonerates him from making the decisions: the commission will make the decisions. It has the power, for example, to decide that the funding will all be spent on the east coast of Australia. It has the power and the numbers to do that, which is bad news for the Aboriginal people of the Northern Territory. There was a view amongst some Aboriginal people that all funding for Aboriginal people was to come through this commission. Mr Speaker, I wish to make it very clear here that this government's responsibilities will not be handed over to the commission. They will remain ...

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

Mr EDE (Stuart): Mr Speaker, firstly, I want to make one more point in relation to what I was saying last night about water supplies in my electorate. I neglected to mention the fact that, at Mulga Bore where rainwater tanks were finally installed, those tanks are still not hooked up.

Members will remember that Mulga Bore is in an area that has quite high nitrate levels. The only available water has a high nitrate content and we did reach an amicable agreement that we would have rainwater tanks installed

so that the people most at risk, especially pregnant mums and very young children, would have their water intake diluted by fresh water and so ensure, in conjunction with the guarantee supplied by the Urapuntja service to run regular checks, that their health would not be endangered. That was the only remaining impediment to the granting of an excision to the people at Mulga Bore. The manager of the station, Mr Purvis, has certainly been most keen for many years to get that excision organised. He is a great supporter of the Aboriginal people at Mulga Bore and ,in fact, he has written to me stating that he would be most disappointed if nothing eventuated. I have conveyed those concerns to the minister and, hopefully, now that we have the water problem solved, the people will be able to get their excision and start developing their community.

I wish to draw honourable members' attention to an article appearing on page 13 of today's NT News with the headline: 'Call to find teachers for outback'. The article includes a press release that I put out about 10 days ago, in which I described the problems that we were having in some centralian schools in getting a sufficient number of teachers and assistant teachers. At that stage, the Minister for Education stated that urgent steps were being taken to find new teachers. It is interesting to find that, a week to 10 days later, urgent steps are still being taken. I hope that they are, because certainly the problem has not been solved.

For example, Yuendumu is still waiting on a teacher, a school secretary and an assistant teacher. A secretary is available and ready to start work, but the department seems to be continuing its go-slow and the papers still have not been processed to allow that person to be paid. An assistant teacher is available and ready to start work but, once again, this far into the school year, the Department of Education still does not seem to be able to get itself organised. The same problem occurred with the assistant teacher at Nyirripi, Mr Speaker. The person is available but there is no word from the Department of Education. One of the mobile teacher positions at Nyirripi was vacant and the teachers from Yuendumu went into Alice Springs themselves and scoured the town until they found a teacher who was willing to take on the job. That person is now on the job I am told, recruited not by the department but by the teachers themselves. While it is excellent that they have done that, it does not say much for the department.

There is a growing concern that the Department of Education is using delaying tactics in order to save the government money. There is a worry that there is a budgetary consideration here, because it would seems to be a fairly simple matter to allow the local school to temporarily appoint people from within the community to positions like assistant teachers, secretaries and so on. Those people could start work at the beginning of the school year and, if the Department of Education later found them to be unsuitable in those jobs, a different process of recruitment could be used.

There is no argument about the positions themselves. The teacher and assistant teacher positions have all been agreed to.

Mr Collins: Federation matter.

Mr EDE: In response to that interjection, they do not come under the federation. Assistant teachers are NTPS staff, not NTTS staff.

That is a simple solution to a problem which, I am told, has unfortunately existed for something like 17 years. Each year, if an assistant teacher drops out, a replacement cannot be recruited immediately. Members may recall that

last year the member for Arnhem took up this issue when some schools in his area went right through until something like mid-March without those positions being filled.

Earlier this year I myself took up, directly with the minister's office, the case for various schools in the Arnhem area. We even found some instances where assistant teachers who had continued on from the previous year had their pay stopped suddenly. Eventually, we were able to get that sorted out. I believe that they are now being paid and the matter has been successfully sorted out.

I received a reply to a question that I placed on notice quite some time ago. I am putting this on the record because I have not had a chance to check all parts of the answer. I asked for the number and location of positions of adult educator that were available and filled in 1986-87 and the expected number for 1987-88. I received a fairly complex response which listed the various positions, levels and locations. I have since found the reply to be inaccurate in one instance. I want to record the details in Hansard so that the minister will be able to take the matter up and clarify it later. The reply to my question stated that, in 1988, Yuendumu would have a Band 2, a Band 1 and one SA2 position. I am told that the school has a letter signed by the secretary which states that its status for this year will be either a Band 2, one Band 1 and 3 Band SA2s or one Band 3, one Band 2, one Band 1 and one SA2. Neither status matches the reply that I received from the minister in answer to my written question.

In fact, the reply would indicate the possibility of a significant downgrading. If the second option were implemented, which the secretary had agreed to, the school would lose a Band 3 adult educator. That would mean a classification line direct from the principal down to a Band 2 educator in a school which is supposed to be running a community education centre, where adult education and post primary education is supposedly a very significant component in the function of the school. That component is so significant, in fact, that people in the areas serviced by the school were told they could not send their children to Yirara College any more because that level of education was available in the community.

If the department has a policy of telling people that they cannot send their children to Yirara College and then does not provide an adequate level of resources in terms of teachers and facilities in the communities, it is no wonder that we are experiencing the current phenomenon where large numbers of children from Aboriginal communities are deserting the Northern Territory system. They are finding that they have to go interstate to boarding school as that provides their only chance of getting a secondary education. That is a fairly severe comment on our system up which, from memory, has so far only been able to matriculate something like 5 Aboriginal students in the last 25 years. The vast bulk of the Aboriginal matriculants that we have in the Northern Territory received their secondary education interstate. If our system is unable to do what interstate systems can do, that is a pretty bad situation.

I will be talking more about that subject as the months go by but, in the meantime, I would like the honourable minister to take on board the example I have given him from Yuendumu. I would like him to ask his officers once again, and in slightly stronger terms, to get their act into gear and start getting the teachers into the schools so that we do not have a repeat of the situation of children having to be sent home from school because teachers were not available to teach them. I might add that this occurred at a school which

has been criticised for many years because of low attendance levels. Through dint of community action, that has been improved to the point where the school is above the magic 90% attendance factor, which takes it out of the category of being a bush school staffed on the basis of attendance plus 10%. The school at Yuendumu is now actually staffed on the same basis as urban schools; that is, on the basis of enrolment. A pretty substantial effort has been made there in the last 2 or 3 years to get it up to that level and it is a crying shame when, having achieved that, the people find that they do not have the teachers they are entitled to. There is a very real danger that the community and the students will become disheartened and that the whole thing will slip back to what it was like in the bad old days.

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to touch on a couple of matters that affect my electorate. I begin by congratulating the Darwin Montessori Association on today's official opening of its school in my electorate. Last year, there was a period when the number of children entering the preschool system in my electorate was dropping dramatically. The Ludmilla preschool, together with the preschools at the Bagot Community and on the RAAF base, was in danger of losing staff because of the drop in student enrolments. It was a very difficult problem to solve because the requirement for teachers for the area was measured, as is usual, by the total number of students enrolled. The difficulty arose because the 3 preschools within the collector area controlled by the Ludmilla Primary School each met the standard requirements for 1 teacher. In fact, they each had student intakes which exceeded the number for 1 teacher and so required 2 teachers. However, the total enrolments for the Ludmilla area did not warrant 6 teachers. It was a case of trying to juggle students between the different preschools, with all the usual problems involved with doing that.

Understandably, the RAAF people did not wish to relinquish their on-base preschool because of safety factors in relation to children crossing Bagot Road. Their preschool, being within the base confines, was close to their housing. The Bagot people, because of their special needs and the special teaching requirements for their children, did not want to relinquish any numbers at their preschool. It looked as though the Ludmilla Maranga Preschool numbers were going to drop down to the point where there was a distinct possibility that a very viable and, in my opinion, one of the best-designed preschools in the Darwin region, would have to close. It took some considerable negotiation with the Department of Education and all of the people concerned to make sure that did not happen.

To avoid the future necessity of closing that preschool, the easiest method of restoring the status quo was to make sure that additional children enrolled there. Whilst there were no other children of the requisite age within the collector area, we decided to look outside the area to see whether there were any specific groups that required special preschool facilities. I found that the Darwin Montessori Kindergarten and Preschool Association was operating from very difficult premises on the side verandah of the Nightcliff Youth and Community Centre. I suggested to the council of that association that perhaps it ought to enter into negotiations with the Department of Education and the local preschool principal, Mrs Mary Fox. As a result, the association came to an agreement with the department late last year to lease part of the Ludmilla Maranga Preschool and turn it into a special learning area for the Montessori Society.

The society has the same teaching ideals as the ordinary preschool system except for a slightly different approach in terms of involving more volunteer parents in the teaching of the children. During the Christmas period, the

society made some minor changes to the preschool, installing additional play equipment and other extra benefits. This morning, the Montessori section of the preschool was most ably declared open by the Minister for Education and myself. In opening the school, the minister paid tribute to the work of the society and, in particular, to the very impressive efforts of the principal, Mrs Marion Ah Toy and her teachers, Sue de Roth and Meredith Patterson. I was also extremely pleased that the members of the preschool committee, under its president, Donna Harris, were very closely involved with the formation of this joint preschool. They are to be commended for the way in which they facilitated an easy passage for the Montessori group into that preschool, which was in great danger of closing late last year. I commend everybody involved and I congratulate them on their opening today.

Mr Speaker, I have another item that I would like to mention briefly again this evening. It refers to the question I addressed to the Minister for Mines and Energy this morning with respect to the sewerage outflow into Ludmilla Creek. I am happy with the answer that the minister has given but I would like to place on record that, whilst I know that money is being set aside for next year, I would like to be sure that he is determined to get on with the necessary work as quickly as possible. Over the years, Ludmilla Creek has suffered all sorts of problems, including oil spills and aviation fuel spills from the Darwin Airport flowing into it from the airport drains. On one occasion, the drains from the side of Nemarluk Drive, which run into the creek system, actually caught fire. In fact, there was a very large explosion and fire in that creek and drainage system during the year before last, creating a particularly dangerous situation.

The area is used for recreation by a very large proportion of my constituents. Unfortunately, it has never been extensively developed in a formal sense. It is a swamp and bush environment. The section on the western side of the creek near Richardson Oval has been developed for formal recreation. The upper reaches of the creek have been covered and closed so that it runs underneath the Ludmilla Primary School oval but the remainder of the creek system, running down to Dick Ward Drive, is a pretty wild mudflat area. Unfortunately, that area is not only being affected by sewerage outfall spills and occasional oil spills coming from the airport, but it has also been used as a private dumping ground by people who are too lazy to go out to the municipal dump at Leanyer. It is now becoming an area where it is all too easy to dump stolen vehicles and vehicles that have finished their economic life. There are now 7 or 8 vehicles which have been dumped just off the connector causeway which runs from Nemarluk Drive through to the ABC transmitter station.

The creek and its surrounds lend themselves to a redevelopment project. Perhaps it might now be time for that area to be looked at as a future recreation site for Darwin. It is considerable in its size and structure. It would not take an enormous amount of money to develop. Considerable scrub clearing would be required on the north western side of the creek but, by and large, it would not take an enormous amount to dig out the main drainage channel down to the Dick Ward Drive causeway and to use some of the fill for back filling the swamp area, not necessarily to make it like the Rapid Creek Water Gardens, but to create more formal recreational areas. There is a proposal to extend Richardson Park into the area to some extent, but there are no proposals for the Nemarluk Drive side of the creek. That area is not enormous in size but it could offer an extensive park and recreation setting. I believe that the area should be cleared and filled, so that it becomes useful to the surrounding neighbourhood.

Mr Speaker, the other matter that I wanted to touch on this evening relates to a problem that has developed in my electorate over the last 2½ to 3 years and that has developed in a fairly substantial way in the last month or so. I refer to the dangerous through-traffic problems in Hudson Fysh Avenue. Some 3 years ago, I advised the Darwin City Council that the Hudson Fysh Avenue area was becoming dangerous. The road had no centre-line marking. The corner above the Tiki store had a reverse-camber corner and, as cars came through from Ross Smith Avenue and turned down towards Bagot Road, the incline of the road surface was leading to accidents. The road surface was inclined away from the centrifugal force of the vehicles as they took the corner and several serious accidents occurred involving vehicles running into the backs of parked cars, failing to make the bend and crashing through fences.

There have been several accidents in the 3 years since the problem was identified to council. I grant that it undertook some minor remedial action at the time. Centre-line marking was completed and, eventually, the council took up my suggestion to put in 'No Parking' signs on the reverse camber of the upper reaches of the corner. It also erected a marker barrier which indicated that a difficult turn lay ahead. At that point, action stopped.

The residents of Hudson Fysh Avenue rightly asked me to take action again for them in October 1985. I called a public meeting and again the council was asked to further identify the problems of that street and to suggest solutions. Since then, the council has had nearly 2 years in which to investigate the problem. It has been prompted continually by residents and myself to get on with the job all through that period. Eventually, it produced a substantial plan detailing 6 options for dealing with the problems in the street. Those options range from chicane barriers all the way down the street, similar to those that were installed on Armidale Street which, I believe, have been a total failure and a great cost to the council. Even the local residents in Armidale Street drive on the wrong side of the road to gain access to their properties. I have seen truck drivers go straight down that street and drive over the kerbs. To my mind, it does not solve the problem. It was very expensive and has provided very little help in Armidale Street.

The lowest cost option was a $5000 proposal to close Hudson Fysh Avenue altogether. Apparently over the Christmas period, the council received a small petition. The council asked those residents who were still in the area over the Christmas break whether they would like the street closed. The response was an overwhelming 'yes' because the people were so frustrated by inaction that they felt any remedy would be worth while. In the meantime, some other residents in my area circulated a petition which I seek leave to table. Basically, it indicates opposition to closure of Hudson Fysh Avenue at the point of access to Bagot Road. It is accompanied by a letter from Mr Peter Fuchs of 46 Wells Street and advises the council that there are 184 signatures on this petition from people living in the immediate area who object to the closure of the street. Mr Speaker, I seek leave to table that petition.

Leave granted.

Mr FIRMIN: Mr Speaker, tonight's NT News indicates that the council has now taken a decision not to close the street but, once again, will seek a remedy for the people of Hudson Fysh Avenue, and I will speak further on this matter later.

Mr SPEAKER: Honourable members will have noted that, during the Christmas recess, the unsightly post-cyclone demountables which were located at both the

Mitchell Street and Esplanade boundaries of the precincts were removed at last. The Correctional Services division of the Department of Health and Community Services won the tender to remove the demountables, and I would like to thank the secretary of the department, the officers of Correctional Services and, indeed, the prisoners, for their cooperation and the speed with which the job was completed. The whole task, including the removal of concrete pillars, steps and slabs and making good the area was, I understand, undertaken by Correctional Services at very little cost. I hope that honourable members are pleased with the end result and that, ultimately, the enlarged grounds can be put to good use.

Motion agreed; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

TABLED PAPER
'Who Speaks for Katherine?'

Mr DALE (Health and Community Services): Mr Speaker, I believe it may be appropriate at this stage if, as I undertook to do in Tuesday's sitting, I table a copy of the document, 'Who Speaks for Katherine?', a report of the Katherine Social Planning and Development Unit, dated September 1987. If there is no objection, which might be indicated by way of interjection, I will include an errata sheet and an insert.

MINISTERIAL STATEMENT
Northern Territory Development Strategy

Mr HATTON (Chief Minister): Mr Speaker, since becoming Chief Minister 21 months ago, I have emphasised consistently the need for clear direction and focus as the Territory prepares for the years ahead. This emphasis has already been reflected in the administrative arrangements which I have set in place for industry portfolios, in ministerial statements on government directions and achievement, in the refining of policies and in various government publications and documents.

Over the last few years, economic conditions around Australia have been extremely difficult and the Territory has experienced its most difficult period since self-government. While the Territory economy continues to record commendable progress in many key areas, it is clear that greater effort and skill will be needed if we are to sustain, in the years ahead, the outstanding growth achievements of the years since self-government.

I am sure that I do not need to elaborate for honourable members the adverse national and international changes in the economic environment in Australia. We have experienced continuing high inflation which, despite the fact that there has been some improvement, still continues to be above the levels achieved by our major trading partners and competitors. This has continued to impact on our international competitiveness. In general terms, commodity prices have been relatively flat and many of our export industries continue to struggle. Business confidence has been eroded severely by our general lack of competitiveness, by continuing uncertainty about key federal government policies and, more recently, by the collapse of the stock market exchange. Anyone who believes that the Australian economy is performing well and that our economic prospects are now rosy has clearly failed to grasp reality.

In the Northern Territory, the savage cuts which the Commonwealth has made on our budget, particularly in respect of capital funding, have meant a dramatic reduction in the Territory government's ability to provide an ongoing impetus to growth and development. Other Commonwealth-imposed atrocities have seriously weakened the ability of the business community to generate that much-needed stimulus and there is no doubt that their adverse effects are being felt in the Northern Territory. I include such measures as the fringe benefits tax, retrospective changes to taxation arrangements, indexation of indirect taxes imposed without any offsetting taxation relief, on-again off-again negative gearing and farm income quarantining. If the federal government had set out deliberately to cripple the business community and destroy incentive and entrepreneurial spirit, it could not have done the job more effectively.

This picture in the Northern Territory is one which requires concern but it is not a cause for despair. The Territory economy is more robust than many people had anticipated. Although there is clearly a need for stimuli in a number of key areas, other areas are performing strongly. For example, mineral production is expected to reach $1300m this year after exceeding $1000m for the first time last year. On offshore oil, BHP and its joint venture partners are currently spending $450m - 50% of their exploration dollars - in the Timor Sea off the coast of the Northern Territory. Tourism visitations are up yet again this year. Tourist expenditure is running at $285m and the industry now employs more than 6500 people. Horticulture, with a production of 7800 t, shows an increase of 35% on the previous financial year and agriculture, with production of 10 200 t shows a 56% increase on the previous financial year. Individual ministers will deal in more detail with their own portfolio area.

The NT Confederation of Industry and Commerce conducted a survey of its membership recently and I note that the Northern Territory Business Council has endorsed the survey as being representative of Northern Territory business views. Although the sample was small, the survey gives honourable members a valuable indication of business sentiment in the Territory. While 15.4% of respondents expect business conditions to improve in the next 6 months, 40% believe that they will get better in the coming year and, in both cases, a significant majority believe conditions will either remain the same or improve over that period. Almost 30% expect to boost employment in their business in the coming year and one-third expect to increase investment in that period.

Another most encouraging indicator is that population growth is continuing and is above the national average. People are still coming to the Territory and we are still seen as a community where there is opportunity. However, it is of concern that the rate of population increase has fallen, and we must work to redress that because a growing population is the key to future growth opportunities.

Much comment has been made recently about employment in the Northern Territory. It is true that employment has declined and some key areas have been hard hit, particularly the construction industry. Employment in other industries has generally declined slightly and is currently at about the same level as it was 2 years ago. This is a fairly commendable outcome, given the savage Commonwealth-imposed beating which the Territory economy has taken, but clearly we must do better. The range of economic indicators also suggests subdued growth in some areas, particularly in the building and construction industries where there has been a marked downturn. Enforced cuts in Territory government spending, particularly on capital works, has affected industries like construction and the construction service sector which, traditionally, have relied on the government dollar. Part of the blame for this outcome must be borne by the members opposite who have sought consistently to undermine our efforts to maintain federal funding for the Territory.

The Treasurer will undoubtedly comment at greater length on the Northern Territory economy. I would like to leave one simple message: the current situation is that the Territory economy is generally flat but it is far from collapsing. There is confidence that it will improve in the medium term. We have suffered in the general economic climate, along with the rest of Australia, but we are holding our own and we will survive. That is not all. The Territory economy has come to the end of a significant period of activity which started with the reconstruction of Darwin following Cyclone Tracy and which received a very significant boost from the achievement of self-government. That boost enabled large public-sector programs to be set in

place which, in turn, created tremendous opportunities in the private sector. But, as I have said, the savage treatment which we have received from the Commonwealth has reduced dramatically our ability to continue to provide this form of stimulus to the economy.

The government has already responded to these adverse changes. We have established a policy direction designed to maintain the greatest possible level of economic activity. Our policies are aimed specifically at the encouragement of business and the private sector and they include a clear commitment to deregulation and industry self-regulation and integration of areas of ministerial responsibility for industry development.

We set clear goals in our business and industry plans for the Territory during the last election campaign. These set the basic direction for the Territory. For example, we said that we would build the Territory's population to 200 000 by the turn of the century. We gave a real commitment to smaller government. We believe the private sector has a primary role to play in stimulating investment and employment and that government should not seek to undertake a role which can be carried out adequately by private enterprise. My government gave a commitment to minimum commercial regulation of Territory enterprises and I will relentlessly pursue my campaign against red tape. We are promoting expansion and diversification of the private sector, without an ongoing need for assistance or subsidy, by ensuring that government spending is directed to strengthening the local economy.

I restate these goals from the business and industry plans presented to the electorate by my government prior to the 1987 Territory general election since it is fashionable for those on the other side of this Assembly to claim that no clear sense of direction or focus has been evident under this government. If members opposite spent more time informing themselves of what we are doing and less time trying to mislead the rest of the community, they would have a better appreciation of the initiatives which have been taken and would be in a far better position to make a positive contribution to the ongoing development of ideas and policies, a contribution which they have been conspicuously unable to provide to date.

Honourable members will also recall my statement on the direction of government which was widely circulated in January 1987 and which was the basis of my government's business and industry plan. Its emphasis was on private sector growth and development. It had a particular emphasis on the creation of a genuine partnership between the public and private sectors. I would also remind honourable members that the government has achieved a consolidation of key areas of government administration to allow the focusing of attention on major development opportunities and industrial growth generally. We have also done our part in containing the size of the public sector. We are creating opportunities for the private sector in this process.

I now believe it is appropriate and timely to take the next logical step. This step is the identification of the strategies and policies which, in the light of the current economic situation in the Northern Territory, will best contribute to overcoming the obstacles to further business development here in the foreseeable future and to identify those strategies and policies which will enable us to capitalise on the particular advantages and opportunities which we have. As an important part of this next step, we should also present these strategies and policies in a clear and systematic manner, to encourage the fullest cooperation between all sectors of the community and to ensure that there is a full understanding of the prospects and opportunities ahead. In short, the government has decided that the time has come to review and

update the economic development strategy for the Northern Territory and I am pleased to advise honourable members that work has commenced on this major exercise. Indeed, it is progressing at a rapid rate with the full involvement of key departments and authorities.

It is appropriate for me at this point to observe that there is an important distinction which should be drawn between measures which are in the nature of short-term stimuli to address particular pressing economic concerns and the longer-term point of view which is appropriate for development strategy. In this regard, given the particular concerns in such industries as building and construction, it may well be appropriate to identify worthwhile projects in the area of infrastructure support which would have an immediate stimulatory impact on the construction industry. Clearly, any such projects would also be considered against longer-term objectives. We are also considering a range of projects across all areas of economic activity and I hope that some of these can be brought forward quickly to again achieve the benefits of short-term economic stimulus. These projects will be selected where they clearly support longer-term strategic goals.

I would like to outline the way in which the government intends to proceed with the development strategy. First, and most importantly, we will develop the strategy with full input and participation from the Territory business community. I accept that there is no lasting value in a government program, however impressive it may be, if it does not have the support of the private sector or the rest of the Territory community. Jobs, income and opportunities for Territorians require a partnership between government and the community.

This is how we are approaching the task. To contribute to this cooperation and partnership, I have consulted with the Northern Territory Development Council, the key advisory body which was established in 1986, comprising representatives of major Territory industry and other groups as well as key public-sector heads of relevant economic departments and authorities. I am pleased to report that the council has unanimously endorsed the preparation of this development strategy. The council has also agreed to changes in its own composition and terms of reference. These changes are specifically designed to ensure that the council can provide a high level of input into the development strategy and make a real contribution to its preparation. I welcome this strong support from the council. I believe it is an encouraging indication of the benefits we can expect from the development strategy initiative. We know from discussions with the business community that our approach is fully supported and that business and industry are keen to be actively involved in this process.

To support the thrust that we will achieve through private-sector involvement, I have also decided to strengthen the ability of the public service to respond quickly through an Office of Policy and Planning in the Department of the Chief Minister. The Department of the Chief Minister will have responsibility for coordinating the initiatives which come from the Northern Territory Development Council and other private sector input, and it will work in full cooperation with industry, departments and authorities. I have set in place a structure which will enable the government to tap all of the considerable expertise which is available within and outside the public service, in a determined and focused effort.

Honourable members will also be interested in the timetable for the preparation of the strategy. In this regard, one issue needs to be very clear. A development strategy should not be seen as a one-off project. Times change, new opportunities emerge and, in an increasingly competitive world,

the Territory must be prepared to respond flexibly and vigorously. We will need to review opportunities constantly and revise the strategy as appropriate. In considering the timetable, the relationship which must exist between a development strategy and the annual budget is obvious. The budget must complement the development strategy. The budget is the principle means of carrying out the strategy in the succeeding year and it also provides the opportunity to review progress in implementing the strategy. With this in mind, it is my intention to present a development strategy document to the Legislative Assembly at the time of the 1988-89 budget. I am sure that honourable members will appreciate the suitability of this timing. I am also sure that they will recognise the demands I have placed on business and the public service to advance such a major exercise in a relatively limited time frame. However, difficult economic times demand commitment and urgency and we cannot be content with anything less.

I have indicated the direction that the government has chosen and I have outlined aspects of the approach and timetable. I have very deliberately refrained from foreshadowing the substance and content of the development strategy. This is not, of course, because we have no sense of the substance which the strategy will contain.

Mr SMITH: Mr Deputy Speaker, I call your attention to the state of the House.

Mr DEPUTY SPEAKER: There is a quorum present now.

Mr HATTON: Mr Deputy Speaker, I have already referred to CLP business and industry plans and the directions of government documents, and ministers have regularly advised this Assembly of directions, achievements and policies in their portfolio areas. It is clear that a key feature of our development strategy will be to identify gaps in our present industry structure and to identify growth opportunities. It will be essential to assess the significance of particular industries to the Northern Territory economy in such areas as employment creation so that we can assess the priority which should be given to them. We can no longer assume, for example, that the economic strategy for Darwin will be the correct strategy for Alice Springs and Katherine. Regional strategies must be developed to maximise the potential for regional economies and industries within each area of the Territory. To satisfactorily achieve this objective, government must build up its information base and adopt a more sophisticated approach to economic development than that which suited our needs in the initial years after self-government when the Territory had a much more rudimentary economy.

The strategy will also need to identify obstacles to development and how these can be overcome. I cite, as one clear example, the high cost of energy in the Northern Territory and the need to raise energy consumption, particularly in the Top End, if we are to achieve more competitive energy costs. For the first time in the Northern Territory's history, we have the potential to do something about the inordinate cost of energy to consumers if we can take advantage of the economies of scale which the gas pipeline affords us.

In looking at opportunities for development, I would expect the strategy to identify a range of business activities which could be established in Darwin to promote its role as the commercial and industrial hub of its region of influence. I have no doubt that there is a very large untapped market in the provision of materials etc, which could be supplied from Darwin right through its region of influence. I am also very confident that there are many

opportunities to upgrade the representation of business interests in Darwin from the typical wholesale and distribution role to one involving greater production and value added.

In a similar vein, the economy of central Australia clearly will continue to benefit from tourism. It is my view, however, that more can be done to capitalise on local energy supplies and that more should be done to get value added from the Centralian beef industry. I am also constantly drawn to the point that Alice Springs, in the longer term, has some unique advantages for the development of an industry based on future aviation patterns, given its equidistant location from all mainland capitals.

Essentially, keys to the strategy must include: diversification of the Territory's economic structure, particularly a strengthening of the manufacturing sector; increasing value added in the traditional Territory industries and a strengthening of these industries, possibly with increased focus on research and marketing; encouraging private sector expansion; developing the intellectual property of the Northern Territory and marketing our intellectual resources, especially into Asia.

It would not be particularly helpful for me to go further at this time in suggesting the substance and direction of the strategy. This is a genuine exercise in cooperation with the business community and other relevant groups. We want their input and cooperation as well as their support for the strategy when it is presented. I will not close off this input by going further now.

I would also like to comment briefly on the related matter of coordinating major development projects. In conjunction with the development strategy initiative, I have also now set in place firm arrangements, through the Coordination Committee, for the coordination of major projects and initiatives. These arrangements will ensure that we achieve the best possible identification, facilitation and implementation of development opportunities. These arrangements are designed to reinforce the mainstreaming of Territory development and the role of industry departments and authorities. I know that these arrangements have the full support of relevant ministers and chief executive officers and I am confident they will make a significant contribution to project development and implementation.

The future of the Northern Territory is not a partisan political issue. We are all concerned about the future growth and development of the Territory, even if we sometimes differ in our views as to what should be done and where our priorities should lie. I hope and expect, therefore, that this initiative that I have announced today will have the full support of all members of this Assembly. I further hope and expect that debate and discussion of the development strategy initiative will be positive and constructive and directed towards achieving the creation of new opportunities for the people of this community.

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

Mr SMITH (Opposition Leader): Mr Deputy Speaker, I have 2 preliminary comments. It is pretty pathetic when the Chief Minister stands up to make a major economic statement and cannot even obtain a quorum, as occurred during the course of this debate. The second point is that it is quite clear from an aside by the Leader of Government Business that, if there are 7 government speakers on this, we will be debating the school council regulations very close to midnight. I know that the government is pretty embarrassed by the furore over the school council regulations but it is one further example of the contempt that this government has for the processes of parliament.

Mr DEPUTY SPEAKER: Order! I ask the Leader of the Opposition to confine his remarks to the statement made by the Chief Minister.

Mr SMITH: Mr Deputy Speaker, I refer to the government's contempt for the processes of this parliament and the legitimate wishes of the public to know what is going on and to be involved in it.

It really is a tired old statement, isn't it? There is a basic formula for statements that the government seems to work on now: it slashes away at the Commonwealth government for 3 or 4 pages and blames it for all its problems, it hides away in the middle the fact that things are going fairly badly and, at the end, it outlines some bright new initiative that hopefully will change the situation. That is a 1½ minute summary of what is in this particular statement.

For a start, I wish to take up a couple of the comments that the Chief Minister made about the role of the Commonwealth. It is intriguing that, whereas we have suffered a 15% loss in jobs in the Northern Territory over the last 12 months, Australia-wide there has been 3% growth in the number of jobs. In fact, 215 000 new jobs have been created in Australia in the last 12 months. The Northern Territory has gone against that trend and has lost 8000 jobs or 12% to 13% of our total work force. That is not a bad effort on behalf of the rest of Australia but it is a pretty poor effort on behalf of the Northern Territory. It does not make any sense to any logical person to blame the Commonwealth for what is occurring here when the whole of Australia is progressing in terms of employment.

On page 2, we have some of the hoary old chestnuts about recessive taxation measures. I would like to put on record that it seems that, once again, the Chief Minister is supporting those people who operate bottom-of-the-harbour schemes by saying that retrospective changes in taxation arrangements were one of a number of 'Commonwealth-imposed atrocities'. The only retrospective changes in taxation arrangements have related to bottom-of-the-harbour schemes. I know that the Country Liberal Party, with its connection with Carpentaria, has much to be worried about in terms of bottom-of-the-harbour operations but I never thought I would hear the Chief Minister saying that the attempt to bring them to an end was an atrocity. He has done that now and that will, of course, not go unnoticed where it counts.

He then made a comment about on-again, off-again negative gearing. The point about on-again, off-again negative gearing is that it had an impact on the rental housing market in places like Sydney and Melbourne. It had no impact on the rental housing market in the Northern Territory because, before people build houses, flats and units for rent, they must have people to put in them. We all know what is happening in Darwin. There is currently a 15% vacancy rate in houses and units. We all know what has happened to rents as well. They have dropped. The Minister for Industries and Development, who does have some knowledge of these matters, is correct in saying that people will not invest without a return. It is very interesting indeed that the Chief Minister can do no better than raise these boring old tax matters.

The general economic outlook in Australia is good. Our balance of payments is improving month by month and there has been an increase in the number of people employed. If you look at the February edition of the Australian Accountant, you will see that prominent people such as Daryl George from the Confederation of Australian Industry, Will Bailey from the ANZ Bank, Brian Quinn from Coles Myer, Brian Loton from BHP, Bob Ansett, Larry Adler and Alan Bond, all say that there is reason to have cautious optimism about the

state of the Australian economy. The reason for that cautious optimism results to a large degree from the actions of the federal government, particularly the actions of the federal Treasurer, Paul Keating.

Mr Speaker, if you spoke to prominent businessmen in the Northern Territory community, you would not find them putting expressions of cautious optimism in writing. You would hear instead expressions of concern and uncertainty about what will happen in the Northern Territory.

Mr Coulter: Tell us whom you have spoken to.

Mr SMITH: If you operated like responsible ministers, I would have no hesitation in doing that. The problem is that too many people who have been prepared to stick their necks out have had them cut off by people like yourself. They are not prepared to give me information on that basis because they do not want their already bleak business prospects made worse by punitive government actions. This government is involved in punitive government actions against people who dare to put their heads up.

Mr Finch: Give us one example.

Mr SMITH: I am not going to give you any examples. I do not have people's permission. But, Mr Deputy Speaker, you might have a close look at some of the colleagues of the member for Barkly who dared to poke their heads up and stand for the National Party in the last election campaign. Have a talk to them about what has happened to their business fortunes since.

As I said, there has been cautious optimism in the rest of the country that the Australian economy is basically in good shape and is improving. Let us, however, look at some of the indicators for the Northern Territory and this is certainly not a comprehensive list. As I have said already, last year the Northern Territory lost 13.5% of its full-time jobs. A further 9.4% of our over 15-year-old civilian population was discouraged from participating in the work force. In other words, they did not register for jobs. Our unemployment rate is currently running at 10.9% compared with a falling rate in the rest of Australia at 7.5%. Of course, the Chief Minister has not helped that. Talk about people spreading doom and gloom and talking the economy down! He said, and I quote from the NT News of 17 February: 'Darwin's economy would go into a tailspin from which it would be difficult to recover'. Talking the economy down is what the Chief Minister has been doing.

Here are some other statistics. Major manufacturing businesses in this town have shed a large proportion of their work force. Some are down from 100 employees to 20 or 30. That is a reasonably common trend right through the manufacturing sector.

Mr Coulter: Give us some facts. Who are they?

Mr SMITH: I will. Take the taxi industry. In January 1987, the Darwin Radio Taxi Co-op received 66 000 telephone calls. In 1988, the same radio taxi company received 56 000 telephone calls - a drop of 10 000 telephone calls or 13% or 14% over a 12-month period. I point that out because the taxi industry is obviously one of the first affected when things start to get tough. Quite clearly, things are starting to get tough in the taxi industry when there is a drop of 13% to 14% in the number of calls received.

The Real Estate Institute of Australia's quarterly survey 'Market Facts' revealed that, between September and November 1987, the rental rate moved

from 8% to 16.7%. It is also true to say that the general view held by real estate agents to whom we have spoken is that somewhere between 60% and 70% of their inquiries at present are from people who want to sell, not from people who want to buy. If you think that through, Mr Deputy Speaker, it has quite worrying connotations for the present state of the economy as well. Of course, there is also visual evidence. Anywhere you go in Darwin and Palmerston, you will find 'For Sale' notices. I understand that there is a more serious problem in Palmerston than there is in Darwin in terms of existing vacant properties ...

Mr Coulter: Where are your facts for that?

Mr SMITH: I have a fax in my office.

I understand that Treasury has recently been advised by Telecom that the growth in telephone services which, for years, has been in the order of 10% to 12% is now running at 3% to 4%, and there has been a marked reduction in demand for residential services. I also understand that, in some months recently, the number of disconnections of telephone services exceeded the number of connections.

Motor vehicle sales and the value of residential building work in the Northern Territory have fallen by 23% for the calendar year 1987 as compared with 1986. The crash in these areas is much greater than for Australia as a whole, where the falls have been 14% and 5% respectively. A check with the Motor Vehicle Registry will reveal that, at 9 January last year, some 87 000 vehicles were registered in the Territory but, at 8 January this year, there were only 86 185 registrations.

A great many statistics indicate that this is a very gloomy economic environment. It gives me no great pleasure to point that out but it does provide a basis for discussion about what to do about this economic downturn. The statistics also give members of the Northern Territory government something to come to grips with in developing a realistic approach to the serious problems which face us, instead of waving their hands in the air and saying that there is no problem.

Of course, the major initiative in the Chief Minister's statement is the new strategy plan. When I look back at the press release I issued on 15 February, it is a case of deja vu. The strategy plan that the government is now putting in place is very close to the proposal that I issued on 15 February.

Mr Finch: We have had one for 10 years.

Mr SMITH: You have had one for 15 years?

Mr Finch: 10.

Mr SMITH: Why hasn't it worked? Why is the Northern Territory in the trouble that it is in at present? The public will be very pleased to know that there has been a strategy plan in place for 10 years! What has it done? It has lost 8000 jobs in the last 12 months. It has meant that, for the first time for a long time, we are probably in a negative population growth phase - certainly in the Darwin area. It has meant that the manufacturing sector is shedding jobs like a tree dropping its leaves in autumn. That is what the strategy plan that has been in place for 10 years has done, and I am not surprised that the Chief Minister has not admitted to a strategy plan for

the last 10 years and wants to put one in place now. He has rather more political nous than the Minister for Transport and Works who should stick to roundabouts.

Mr Coulter: In 1978, you could not have afforded those flash shirts and nice ties, I can tell you.

Mr SMITH: That's right. I was a poor public servant then.

Mr Coulter: You still are.

Mr SMITH: The strategy plan quite clearly has the support of this opposition. It does not quite include the breadth of people we would have liked to have seen involved but it does pick up the suggestion that we made on 15 February and it does proceed with that suggestion in an orderly and logical manner. I have no problem with the Chief Minister stating that he is not prepared to give details about what the strategy plan will contain because that obviously will emerge as the planning group meets.

Perhaps members opposite might like to listen to what I am about to say. They can scoff publicly if they like but privately they might take it on board. The criticisms made of the government by the business sector, apart from the general one of lack of direction are, firstly, that the government does not meet with it and, secondly, that, when it does meet, it does not listen. That is the problem that the business sector has with the government. There is no point in putting in place a great strategy development plan if the government does not listen and take heed of the advice that it receives from business. That attitude of the government has to change and that will make or break the proposed strategy development plan.

Mr Finch: What do you think the government is about? All our programs and strategies are about free enterprise. Where do you think that comes from?

Mr SMITH: Are you finished? Mr Deputy Speaker, I might have to seek an extension of time after that long interruption.

Mr DEPUTY SPEAKER: Order! The Leader of the Opposition will be heard in silence and there will be no further interjections.

Mr SMITH: Mr Deputy Speaker, in answer to the comment, I understand that at a recent ...

Mr DEPUTY SPEAKER: I hope that the Leader of the Opposition will not attempt to provoke interjections.

Mr SMITH: Mr Deputy Speaker, I will not.

At a recent meeting between a number of government ministers and members of the business community, I understand that one prominent businessman said: 'The best thing you people could do is stay in the Territory for a month'. That is very hard for ministers who are busy people and want to travel interstate and all over the world on important missions to further the economic development of the Northern Territory. 'Stay in the Territory for a month', he said. 'Get out of your offices. Go and talk to your public servants and to business people so that you have a feel for what is going on'. But one minister, whose name I do not know, said: 'We are too busy to do that'. That little anecdote nails down the problem that the government has. Its members are too busy to talk to the people who should be implementing its

policies - the public servants - and too busy to talk to the business community which can provide it with ideas and information about what will happen.

Mr Coulter: Tell us about the businessman you did not talk to because he is doing too well in Darwin.

Mr SMITH: Is that the businessman who is having trouble opening his caravan park because he cannot get sewerage inspections approved by the relevant government department?

Mr Coulter: That is not true at all.

Mr SMITH: Is that the businessman you are talking about? He has an asset worth $2m or $3m and he cannot obtain government cooperation to get it open ...

Mr Manzie: Tell us why you did not bother to talk to him.

Mr SMITH: ... because he cannot get his sewerage lines open. That is the trouble he has.

Mr Deputy Speaker, I want to make a couple of comments about the proposed Darwin city redevelopment. I am not going to break any new ground on this but I want to put on record the objections to this proposal from people in the community. The reaction has been amazing. Not only are people in the street talking about it, but the Master Builders Association and the Small Business Association have both publicly condemned a proposal that at one stage was going to pour $300m into the economy and, on the latest figure, will pour 150m into the economy.

People have a twofold problem with the proposal. Firstly, the Anderson proposal, as it was a week ago, will lock us in a debt repayment of $15.6m per year for 30 years. That is a total cost, over 30 years, of $480m for a $150m project. That means that, at the end of 30 years when the government finally owns the project, the economic life of the building will be finished and the government will then have to go through the same process again. The second major concern is that the $150m is a quick-fix solution to a present problem that will contribute nothing to the long-term productive capacity of the Northern Territory. It will not create 1 extra job. There will no additional members of parliament because of it or any more public servants. All it will do is provide better accommodation for public servants, members of parliament and supreme court judges. That, essentially, is the thing that people in the community cannot understand.

People want to see development. We all want to see development, but it has to be intelligent development which furthers the productive capacity of the Northern Territory. I would like an argument from a member opposite, one of the 7 who are to speak in this debate today, which demonstrates that the project will increase the productive capacity of the Northern Territory in the long-term. If it does not, the government ought to have serious reservations about it.

There are improvements in the Territory's productive capacity that can be looked at by the government in the short term. Of course, that is the problem with the strategy plan. It is a reasonably long-term document. It will take a reasonably long period before its outcomes are put into place. We have a short-term problem as well: how to arrest the decline in the number of jobs

here. The long-term challenge is to increase the number of jobs. I accept that that is primarily a job for private enterprise and that the government's role is to facilitate it. Everybody accepts that.

I want to suggest a couple of short-term propositions that the government may well have looked at. One is, of course, the mooring basin in Dinah Beach Road. It has become a very successful mooring basin for yachts but it has not been successful in attracting prawn trawlers, which is what it was built for.

Mr Perron: Have you counted the fishing boats?

Mr SMITH: Yes, I have. There are 6 or 7 of them.

Mr SMITH: The problem with the mooring basin is that the government has stopped a third of the way through the process. What Norgaard wanted was not simply a mooring basin but an integrated facility. The evidence is clear that prawn trawlers need more than a mooring basin to attract them to Darwin during their major lay-offs. It would have been singularly appropriate for this government to have made some commitment to implementing other recommendations of the Norgaard Report, such as a major food hall which would allow extensive freezing of the catch prior to shifting it to markets. The problem is that the government has stopped halfway. That would have been a more productive short-term use of money than investing $150m on the Anderson proposal because it would have led to an improvement in the productive capacity of the Northern Territory.

Let me point to another possible project: the improvement of the Victoria Highway. I had the misfortune to travel on that highway during the Christmas period. It is a disgrace. Why isn't the government doing something, spending some money, to accelerate the upgrading of the Victoria Highway ...

Mr Palmer: $2.5m is being expended there right now.

Mr SMITH: How much is it going to cost to finish it? $40m? $50m?

Mr Finch: $200m.

Mr SMITH: $200m? All right. $2.5m as against $200m is not very much. The Victoria Highway is a national disgrace and, if this government sat down and tackled that problem, and worked out ways of putting money into that project, we would have a long-term improvement in our productive capacity in the Northern Territory. Of course, the government has not done anything about it.

Those are just 2 of the areas where the government ...

Mr Coulter: Okay, you can keep talking. There are a lot more problems.

Mr SMITH: Yes, there happen to be 2 more than you people over there have managed to think of.

Mr EDE: A point of order, Mr Speaker! I protest at the continual interference from the other side of the House and the fact that no protection has been given to the Leader of the Opposition. If such remarks were to come from this side of the House, I am sure that the minister opposite would receive the protection of the Chair. I believe that you should grant him that protection.

Mr SPEAKER: I ask all members to listen to the member on his feet in relative silence. I will tolerate some interjections but I will not countenance any reflection on the Chair, such as the member for Stuart just made.

Mr SMITH: Mr Speaker, there is no doubt that this is a turning point in the Northern Territory's economic history. That point was recognised by the Treasurer last year when he talked about a movement from an economy led by the public sector to one led by the private sector. That has happened to some extent, although it is interesting to see that, when things get rough, the government intends to step into the breach as it has done in terms of the Anderson proposal.

More importantly, it is a turning point in the economy because, for the first time in a number of years, things are tough in the Northern Territory economy. People are hurting and they are voting with their feet. That is the problem we have in the Northern Territory and that is the problem that the government does not seem to have come to grips with. We have a negative population growth; we have lost 8000 jobs in the economy. What is the government doing about it?

The strategy plan is a good idea and we support it but, as we have heard from the Minister for Transport and Works, we have had a strategy plan for 10 years. People want to see strategy plans that turn into action, into directions and into guidelines for both the public service and the private sector so that they know where the government wants to go. People need to be confident that the government is proceeding in a certain direction and can provide them with certain assistance. The message that is coming from the community at the moment is that the government does not know where it is going. Because of that, private industry, which is to lead this economy into the 1990s, is finding it very difficult indeed to plan what it wants to do and to participate fully in the future of this economy. Until the government gets that right, the economy of the Northern Territory will never flourish to its fullest possible extent. It will always be held back by this government's failure to put those basic objectives in place.

Mr COULTER (Treasurer): Mr Speaker, I intend to deal with the broad issues of the economy and my responsibilities as Treasurer. The member for Jingili will deal with one of the outstanding growth areas of the Northern Territory economy - namely, the mining, petroleum and gas industry. That is certainly more than the Leader of the Opposition has done so far. His was probably the worst performance that I have ever witnessed in this Assembly from an alternative government spokesman on the development and potential of the Northern Territory. It was an absolute disgrace and it is no wonder that the opposition is trying to replace him.

There is no doubt that the Territory economy, and indeed the national economy, is going through a difficult time. That is apparent to anybody with half an interest in the state of the nation or in the state of the Territory. The contribution to the debate today from the Leader of the Opposition did not reflect any spark of economic genius. I regret that he has done no more than take up the obvious tactic of blaming his political opponents for what he perceives to be the problems. The problems are apparent but the solutions are not simple, quick or easy - otherwise, we would have fixed them. As the Leader of the Opposition knows full well, in the Northern Territory Treasury, we have some of the most respected economic brains in the country to advise us. The opposition could be playing a useful role in this debate. Creative and constructive suggestions are needed and welcomed but, again, the

opposition has passed up the opportunity to play the proper role of an opposition. Again, it is showing that its only philosophy and strategy is the intellectually bankrupt policy of destructive criticism.

So be it, Mr Speaker. Today, we are addressing matters of great and immediate importance to the people of the Northern Territory. My contribution will outline the problems facing us and, when this debate is over, I will go back to the job of setting in motion the mechanism which will get us through this period and put vibrancy back into all sectors of the Territory economy. I will do that, as will my colleagues, without any assistance whatsoever from the opposition. We will do it in spite of the opposition's criticisms of each and every initiative that will emerge, just as it has criticised each and every initiative in the past. That is why the CLP is in government and why the opposition is today just as far from winning government as it ever has been. I quote none other than the member for Nhulunbuy as my authority. He said in a speech to the Chamber of Mines on 8 December 1987: 'The Northern Territory is a developing area and the perceived anti-development attitude has cost us dearly'. He also said: 'The Labor party is going to have to put greater emphasis on economic policy, a considerable challenge, but the consequence of failure is political irrelevance'.

We have seen today the quality of the contribution of the Leader of the Opposition, the opposition spokesman on economic affairs. He selectively quoted statistics in his attempts to build up a negative picture. He also fraudulently attempted to enlist the support of business and small business allies for his cause. I tell him this without fear of contradiction: he has no allies or friends in the Territory business community. They will not wear him under any circumstances. They detest the Territory ALP and everything it stands for. They may sometimes criticise the government but that does not mean that they will embrace the negative policies of the Leader of the Opposition, his colleagues, his trade union dominated party or his allegiance to the social welfare minorities which have contributed to the national economic downturn. His power base is in the bush and he knows it. He is a foreigner in business circles, an alien who speaks a different language.

Let us dispense with his towering pile of garbage, his contention that somehow he speaks for Territory business. He does no more than guess at what business might be thinking and his bluff fails because he gets it all wrong. I know that, because I talk to business people in the Territory all the time. In recent weeks, I have been talking to the Territory's banking executives about the economy. Just last Saturday, I met with representatives from all sectors of the Alice Springs business community to discuss the state of the Territory economy and the Territory budget and to hear their views about what we are doing and what we could be doing. Immediately following the sittings, I will be conducting a similar meeting with Darwin business leaders, as I did last year. I presented these people with the raw facts and figures of the current economic situation. The Leader of the Opposition can check it as thoroughly as he likes because, if he wants me to, I will supply him with the names of the people who attended. The view of the seminar was that the government's policies were largely correct.

Representatives put to me their views that the Territory was inescapably drawn into international and national economic circumstances and that the Territory economy was going through a period of inevitable shake-out which will ultimately benefit Territory business in the longer term. They were pleased at the government's efforts in the past 12 months to structure the economy away from the public sector to the private sector. They were happy with the government's efforts to restrain public sector growth because that is

what they asked us to do before last year's budget. That is also what we were asked to do by Darwin business leaders, and it may well be that the Darwin meeting will endorse the views of the Alice Springs' representatives. I think it will.

The Alice Springs business people pleaded with us not to bow to short-term political pressure and introduce the bogus make-work schemes so dear to the federal government. They wanted time to take up the greater business opportunities now opening up and said that the government assistance they required was help in identifying those opportunities. Independently, the government has come to the same view. There will be a much greater effort in identification of resources, markets and opportunities in the future and, indeed, this has already begun. It is my firm intention that the 1988-89 budget will address itself more specifically to that task. Representatives of the small business sector said, for example, that they were more than willing to pay their own way, but they lacked individual resources to assess strategic market needs. Assistance from government in that regard would be welcome and appropriate, but not to the extent of propping up marginally viable enterprises.

The Australian economy has been characterised, in recent times, by significant external imbalances and rapidly rising external debt. Australia's gross foreign debt has grown from 11% of GDP in 1981 to an unprecedented 39% in September 1987. Business confidence in the national economy is so low that an already alarming level of business investment is expected to fall even lower. Such an influence, in itself, would be sufficient to cause problems in the Territory economy. However, on top of this, the federal government has cut government spending in a belated attempt to redress problems it has blatantly allowed to prevail for so long and it has forced the states and the Territory to bear the brunt of these cuts. As all honourable members know, the Territory's position has been further eroded by political discrimination in our treatment over the last 3 years.

Since 1985-86, the Territory's funding has been increased by only $13m, which is a 15% reduction in real terms. Given that Commonwealth funds represent close to 80% of the Territory budget expenditures, such a change must naturally be felt throughout the whole of the Territory economy. The position is even worse if we look at 1987-88 in isolation. The Territory suffered a 10% reduction in Commonwealth payments in real terms, several percentage points more than any state. With around $100m less going into the Territory economy in 1987-88, is it any wonder that there are problems? We foresaw those problems in the 1987-88 budget, which was the toughest ever brought down in the Territory. There were significant cuts in most areas of government. If anybody doubts the impact of that stringency, let me spell it out in terms of public service numbers. At pay period 17 on February 1, according to the government centralised payroll system, there were 785 fewer public servants than at pay period 1 at the start of the current financial year. I should add that part of this is seasonal and staff numbers will increase from now until the end of the year, probably ending up at about 400 less than at the start of the financial year.

In addition to direct staff cuts, new house construction by government has fallen from around 800 to around 200 in 1987-88. Road expenditure has been cut by $15m. At 31 December, administrative expenses were 6% lower in real terms than last year. Capital items, including plant and equipment, were down 36% on last year in real terms. Overall, total expenditure in the public sector was 12.5% less in real terms than at the same time last year. We were not kidding last year when we announced drastic reductions in government

expenditure as a direct result of loss of funding from the federal government. Some people, including members of the opposition, seemed to think that it was a mere posturing and that no problem existed but we were completely aware of the surgery that was necessary. We set about it and we have done it with the grim determination that it required.

I ask again: is it any wonder that the Territory's economy has its problems? We have not taken any pleasure in cutting back government expenditure so severely. However, to have abrogated our responsibility would have been economic vandalism. As it is, we have done the necessary pruning so that the Territory economy can revive in a restructured form without building up debt levels to pass on to future Territorians. The Territory business sector understands what we have done. It understands the necessity to shift towards a new and more realistic economic structure. The opposition, bred and raised on Whitlamesque economics of spending like there is no tomorrow, does not understand and never will.

The major factor in the current decline in employment numbers in the Territory is the completion of 3 very large projects: the gas pipeline, Channel Island Power Station and the Tindal RAAF Base. Whilst these projects were under construction, the Territory economy received a tremendous boost. In a larger economy, the completion of 3 such major projects would not have such an effect. Of course, the reverse also applies. Because our economy is small, project injections which might not be considered significant elsewhere can and will have substantial effects. I am currently involved in discussion and negotiations on Territory projects totalling billions of dollars. Not all of these will eventuate and some might be some way down the track but some will make it to reality and their impact will be enormous. Nothing would please me more than to outline the nature of some of these projects to honourable members but the need for commercial confidentiality intervenes. Hopefully, some announcements might be possible in the second half of this year.

One injection we all know about and which, incidentally, is not on the list I am talking about is the stationing of the Second Cavalry Regiment in Darwin in 1991. The effect on the Territory economy will be most useful. Despite the effect of the completion of one-off major projects, there is no doubt that the Territory's employment capacity has declined in the last 6 to 12 months. We remain cynical about the accuracy of the ABS employment figures, which the Leader of the Opposition quotes with such authority, given the capacity for gross error in sampling techniques. While ABS employment figures should be regarded with caution, one cannot doubt the underlying downward trend. Interestingly, there is no current evidence that many people who have lost jobs are leaving the Territory. Participation rates suggest that households with dual incomes have reverted to a single income. Evidence still suggests population growth in the Territory is higher than that of any of the states. Telephone and electricity connections, both domestic and commercial, are up.

It is also clear that the area most affected by falls in employment capacity is the small business sector, defined as business with payrolls of less than $350 000 per annum - the threshold for paying payroll tax. This group accounts for about 40% of the total employment in the Territory. Payroll tax figures indicate that the fall in employment in the small business sector from June to December last year was about 2200 employees or about 10%. However, past movements in employment in this sector show that a substantial slice of the fall is associated with seasonal influences. For example, there was a 4.5% decline in the same period last year and a 7.5% decline in 1985-86.

Non-labour indicators show conflicting evidence on the state of the economy. I have mentioned telephone and electricity connections. Other positive indicators over the most recent 12-month period include tourist takings increased by 25%, exports by 7%, residential building approvals by 33%, value of work done on dwellings by 9% and savings banks deposits by 17%. It is, however, undeniably true that pain is being felt in the community as a result of a combination of factors which have placed our economy under stress: international and national influences, the completion of major projects, severe cutbacks in funding from Canberra and an inevitable shift in the structure of the economy as we move from the past to the future. The past was characterised by rapid public sector growth and a beneficial financial arrangement with the Commonwealth under the terms of the Memorandum of Understanding. In future, shrinking public financial resources must be utilised to assist the private sector in taking up the opportunities which undoubtedly exist. Currently, we are smack in the middle of that changeover.

It should be recognised that we have already set in place the mechanisms to ensure that the changeover is as brief as possible; that is, we have made the tough decisions and taken the pruning actions required to restrain public sector spending and get more mileage from the funds that we have available to us. Let us be more positive now. There is no cause for doom and gloom. The Territory has many strengths which will provide opportunities for long-term growth in our economy. Chief among those strengths are our natural environmental resources and tourist attractions, our tourist infrastructure and marketing development, our mining and petroleum development and our tremendous potential for processing our resources. Incidentally, as the Chief Minister pointed out today, mineral, oil and gas production this year is expected to total $1350m. Other strengths are our stable and sophisticated physical and political environment and our proximity to Asia.

How do we maximise on those opportunities that flow from those strengths? I believe we must concentrate on a simple objective and that is the objective that the Territory has become famous for: wealth generation for a much larger population. That is our strategy, that is our goal, that is what we are aiming for. In order to achieve that, there has to be employment growth in the private sector. That is how we will move towards future self-sufficiency. That is how the quality of life can be improved for all Territorians. In fact, it is the only way.

The Territory's population currently stands at about 156 000 people. Of that, 35 000 are at school - 22% of the Territory's population. We have a great obligation to those schoolchildren to provide a place for them in the future society we are building right now. The Territory government has always been heading towards that sort of objective and a tremendous amount has been achieved since self-government. The 2 budgets that I have brought down as Treasurer have been structured with that direction in mind, but I believe we need to concentrate our efforts further to gain the best possible value from the opportunities which are open to us.

We need to be more selective in allocating the limited available resources. In other words, we need to make our dollars work hard. This government will continue to play a dynamic role as a catalyst for major new development projects in the private sector. We heard the Leader of the Opposition rubbishing the progress we have made over the last 10 years. Nowhere in Australia can you see the kind of development that has occurred in the Northern Territory in those 10 years. He rubbished the plan and the direction this government has followed over the past decade. Mr Speaker, I suggest to you that such development is not occurring anywhere else in

Australia today. It is a tribute to the efforts of various government ministers, past and present, and those efforts will be carried on into the future.

Not all projects have the characteristics of Yulara - which the opposition has bagged each time it has had the opportunity to do so - where the employment generated by the project is greater than the size of the construction work force. But the injection of new capital investment is vitally necessary, plus drive, determination and entrepreneurial skill, to make what we have more productive.

It is not the role of government to take over from the private sector. At least, it is not the role of this government. Other governments with which the opposition is more familiar may have a different philosophy. The government certainly does have a role in defining opportunities and promoting them, in bringing the right people together to ensure concerted action and in planning for the supply of services and infrastructure. Such actions become most productive if they are directed towards an ultimate common goal, a target, a place we would like to reach at some time in the future.

My own vision of the future for the Territory is for a place with meaningful, full-time employment and strong bridges into Asia, and I have devoted my political career to its fulfilment. This government is now reaping the first rewards from our efforts in the huge and rapidly-growing markets of Asia. It has been a long road, and not an easy one, and honourable members heard the wisdom of the Minister for Industries and Development in this regard last Tuesday.

The Trade Development Zone, described recently by the Leader of the Opposition as a 'financial sinkhole', is off and running towards a magnificent future. Increasing numbers of Asian tourists are coming to the Territory and there is real potential for a truly dynamic increase.

We are still short of infrastructure and facilities. Most critical are the farcical and woefully inadequate airport facilities in Darwin and Alice Springs. Accommodation will always be needed, despite the opposition's contention that we already have too much. We need to give the visitor more to do in our major population centres, particularly the visitor not especially drawn to scenic attractions. Indeed, we are now focusing attention on this matter.

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

Mr HANRAHAN (Leader of Government Business): Mr Speaker, I move that the Treasurer be granted an extension of time to complete his remarks.

Motion agreed to.

Mr COULTER (Treasurer): Mr Speaker, the mining and petroleum industries are experiencing tremendous growth but we cannot relax and sit back and enjoy it. Vast resources remain to be properly explored and assessed and major projects need to be brought into production. As I said, Mr Speaker, the member for Jingili will outline some of those when he makes his contribution to this debate.

It is vitally important that we develop processing facilities so that we move beyond the role of a basic resource provider. We have the skills and the motivation to bring it all together so that economic benefits flow to the

people of the Territory. In fact, it is the only way that that can happen. The ways of the past, and reliance for largesse on the political whims of the centralist federal government in Canberra, are gone. This government has the political will and the determination to make it happen and it will make it happen in spite of the opposition that it has to deal with in this Assembly. I congratulate the government for its directions and its leadership and I look forward to further developments in the Territory during the next 10 years, based on the directions and guidance given by the CLP government over the past decade.

Mr PERRON (Industries and Development): Mr Speaker, it is disappointing, but perhaps not surprising, to see the level of interest shown by members of the opposition in this debate. It seems that it is all very well for them to go around in our community badmouthing the Territory's economy and its government and doing what they can in the public arena to try to draw attention to deficiencies in this government and its actions. I guess that is fair enough in politics but, when it comes to debating in the Assembly a subject of obvious and fundamental importance to the Territory - our very economy - the opposition has only a token member in the Chamber - the Deputy Leader of the Opposition, who leans back and tries very hard to take some interest in the event. Why are members of the opposition not in here representing their constituents as they are paid to do? They cannot remain in this House during the 30-odd days per year that we sit, a period which they sometimes whinge is not long enough. They cannot raise enough interest to remain in the Chamber and express the views of what they believe is the alternative government concerning matters such as the Territory economy.

The opposition would have Territorians believe, not only that the Territory government has been operating in some sort of economic policy vacuum for the past 10 years but that things are so bad that nothing is happening here. To listen to the Leader of the Opposition's meagre, miserable contribution to this debate, one would believe that there is no hope for us and that we should pack our bags and join those few people who have recently decided to go elsewhere. I have news for the Leader of the Opposition and perhaps his deputy might carry it back to him. It is this: there is a whole world out there that the opposition does not even know exists. It is a world of Territorians who are getting on with the job, not whingeing and whining to the opposition about how they are finding things really tough or that there is not enough work around. Those people are planning, borrowing, expanding their activities and promoting their wares and services both at home and overseas. It seems that the Leader of the Opposition only talks to businessmen who have a long sad story to tell about how life is really tough. It seems that the opposition does not talk to people in the tourist industry, the mining industry and the agricultural industry. He seems to have avoided all those industries in his research into the economic well-being of the Territory.

The Minister for Tourism has spoken in the House earlier in these sittings about some $600m worth of investment that is either under way or projected on new projects and expansion in the Northern Territory. That is just in the tourism industry alone. I doubt that, apart from Queensland, there is any state in Australia which has $600m worth of projects in tourism under way or on the drawing boards. Tourist takings, we hear, are at record levels - up by 25%. That is pretty easy to understand. You do not have to study ABS statistics to see that tourist spending is running at record levels in the Northern Territory. If spending is running at record levels, I suggest that there might be a few people making the odd record profit or record turnover. No wonder there is a great deal of faith in the tourist industry and a great deal of encouragement and expansion - and it is great to see. A 25% increase

in tourist earnings is hardly a sign that investors are holding back waiting to see what the government has in store for the future or waiting for the government to get its act together before they decide to invest. Of course they are not.

The mining, oil and gas industries in the Northern Territory, as we regularly hear from the Minister for Mines and Energy, are in good shape. Expenditure on exploration and on establishing goldmines in the Northern Territory is at an exciting level. Expenditure on exploration for oil and gas is at levels that have seldom been seen before. There is enormous interest in getting out there, discovering and proving up Australia's energy reserves, as the Bass Strait reserves wind down. That is completely understandable and that is what is happening. It has been documented.

Areas within my own portfolio are also of interest and are also growing. I spoke briefly in this Assembly earlier in the week about the Trade Development Zone. Despite the campaign of denigration by the ALP, the zone is creating jobs and adding a complete new dimension to our economy. Five companies in the zone now employ 81 people. Another company is expected to begin establishing in the zone shortly and 2 companies that are there have plans to double their current production. I propose to say a little more about the Trade Development Zone shortly. It is working, despite the difficulties that it may have experienced as a result of criticism over the past couple of years and despite the fact that it has taken a little longer to get off the ground than people would have liked. Mind you, it has not taken longer to get off the ground than was originally predicted. All the same, it has drawn considerable criticism and it must try to get on its feet despite the efforts of the opposition in attacking it at every opportunity.

The primary production industry returned a figure to the Northern Territory economy of about $160m in 1986-87 and that is despite a downturn of about $16m in the value of beef production. The diversification of our primary industries is, in fact, producing results. A few years ago, a fall of $16m in income from the beef industry would have had a quite dramatic effect across the whole primary production sector.

The horticultural industry is booming in the Territory. In 1986-87, production was up 37% on the previous year and the total value of production was $7.9m. 70% of the horticultural production went interstate or overseas. That activity is bringing dollars into the Northern Territory economy from across the border rather than simply turning them over within the local economy. That can also happen, but this activity is bringing outside wealth to the Northern Territory.

Last season, 4100 t of rockmelons were grown here, an increase of 36% in volume and 50% in value on the previous period. There is a message there for members opposite if they took the trouble to contemplate it. The value of Territory horticultural produce is rising at a rate faster than production. The message is that we are beginning to turn out top quality produce that is bringing a bigger dollar return than ever before. In the demanding Hong Kong market, Territory melons rate with the best from its competitors anywhere in the world. Our major exporter of Territory produce is so nervous about our future that he has booked treble the air cargo space that he had last year. It is planned to move from 18 t to 60 t of air cargo space per week for the horticultural season. The availability of this space is yet to be confirmed and negotiations are continuing with various airlines but it is confidently expected that that can be arranged.

Grain crops are looking better this year than they have for some years. The wetter wet season has produced some good stands of sorghum. However, there is a need for finishing rains to produce really good results in the Douglas-Daly and Katherine areas. It is a little early to tell how that will turn out but the area certainly looks a bit more promising than it has for the last 2 or 3 years during which poor rainfall has led to fairly disastrous results for the farmers there.

Our fledgling Centralian grape industry is getting to its feet with a 170 t crop this year. Unfortunately, some 30 t of grapes were not harvested due to rain spoilage but, of the remaining 140 t, almost the entire amount was exported interstate. We really should place some sort of premium on dollars for the horticultural industry - indeed, for any industry that brings dollars into the Northern Territory from over the borders. It certainly is of very significant benefit to us. As new vines gain maturity in the Territory - and honourable members are aware that the industry is really quite young - we will see even greater production from those areas, even without the planned new plantings.

The pastoral industry is experiencing mixed fortunes as the severe effects of BTEC are felt in the northern areas and some of the southern areas have been partially affected by drought during the past year. However, much of the Territory has come through the worst of the BTEC program and the industry will be better equipped and better managed than ever. $73m has been spent on the BTEC program in the Northern Territory and expenditure is currently running at about $17m per year. The beef industry will be in better shape after BTEC than before because herds will be much more controllable and because much BTEC money has gone into improvements to the properties as well as compensation for destocking. Properties are better able to manage their herds. I am advised that the abattoir in Katherine has spent $1m on upgrading, in preparation for the next season, to raise its capacity from 300 head per day to 400 head per day. Obviously, that must be good news for the beef industry in the Top End.

The buffalo industry earnings rose 55% to about $8.8m last year. Trial feed lotting by the government produced top quality meat selling at $10 per kilogram wholesale. Like many other observers, I believe that buffalo will become more valuable than cattle as the industry settles down post-BTEC. Buffalo have the advantage of not being as numerous in the Northern Territory as cattle and, as BTEC cleans up the feral animals, it will become an increasingly valuable animal.

Not only is the value of fishing up 25% to $26.6m in 1986-87, but activities have commenced to process some of the catch onshore. Offshore Fisheries International, in addition to sending fish interstate, has sent trial shipments to the Middle East and to the United States. There is more good news about fishing and I will come back to that.

Pearling will commence shortly on a significant scale because we received 21 applications for the 5 licences that we propose to issue in conjunction with the Commonwealth government. The economic effects of pearling will ripple right through our local economy as we capitalise on the fact that the pearl beds have not been disturbed for over 20 years and the ability of our Territory environment to grow bigger pearls faster than anywhere.

Crocodiles are the basis of one of our newest industries. It faces a profitable future and I predict that it will expand steadily for years to come. Right now, the Territory grows the grain which feeds the chooks which

feed the crocs that feed the tourists. In time, when we tan the skins and make the shoes to kick the football, the crocodile industry will be one of our most integrated and will certainly be a significant employer. It is certainly an industry which is unlikely to be snatched from under our noses by the 'heavies' down south.

Those are some of the economic generators in the Northern Territory at present. They are functioning today and we do not need working parties to dream up ways of getting in the hair of people who are taking care of business and getting on with the job.

There is, however, much more economic activity in the pipeline. The Trade Development Zone is one of the most exciting areas for growth prospects but it is not one for the faint-hearted. After 2½ years of hard work and the expenditure of a great deal of money, it has managed to stir a giant in Asia and the rewards are there for a government with courage, determination and patience. The patience is required to deal with our potential investors at their pace, not ours. I mentioned before that we are concerned about how long it takes to get people into the zone. We must realise that, although we are in a hurry, we have to deal with people and be prepared to work at their pace. Determination is required to follow through successive budgets with heavy promotional funding and courage is required to face the enormous competition in Asia for investors and, at the same time, to fight the ALP at home while it does its very best to destroy the credibility of the zone participants and government agents for the zone. This government has the courage, determination and patience to follow through with the Trade Development Zone and, in years to come, it will be hailed as one of the great success stories of the Territory.

Plans are in hand to release more land for horticulture and variety trials are proceeding continuously on government research farms. Exporters advise that pessimism about a massive increase in produce, such as mangoes, is unfounded. Markets are available for every kilogram of top quality fruit and vegetables the Territory can produce. There seem to be many pessimists when it comes to agriculture. Many people go about wringing their hands saying that we will soon have so many mangoes that we will not be able to sell any, but I am advised that that is not the case. If we get our act together and promote, we will sell every mango and every other type of quality produce that we can grow. Cold storage needs and transport capacity for this industry are being evaluated in conjunction with planning for the new airport terminal.

The post-BTEC pastoral industry will be in better condition than ever before. The ability to manage stock and improve blood lines will mean that our cattlemen should benefit from predicted strong world demands for beef over the next decade. Evaluation of the Pastoral Industry Study is proceeding, in conjunction with with the AD 2000 seminar outcome, to lay down an agreed strategy for the industry's future.

Recent action taken to recognise the full value of recreational and tourist fishing in the Territory will result in changing government policy to protect the resource and maximise economic activity. Our existing fish processing factory wants all the shark that it can buy and I predict that, within a year, Darwin will see the establishment of a second onshore processing facility. An imminent agreement with the Commonwealth will allow the Territory far greater management control over the fishing resources within the 200-mile nautical economic zone. With the mooring basin enabling trawlers to stay in Darwin during the Wet, opportunities will be available to encourage greater exploitation of the 200-mile zone by Australian vessels.

On a related subject, I am pleased to say that the member for Katherine has agreed to lead a small mission to the north of Western Australia during March to ascertain prospects for Territory business expansion. Honourable members may be aware that Broome and its surrounding regions are developing rapidly and, although business is already transacted between there and the Territory, we should be able to expand that trade and generally service the area much better than Perth does. We are aware that there is considerable discontent in the north-west concerning the way the region is serviced from Perth. A number of business people from Darwin and Katherine, as well as the executive officer of the Industrial Supplies Office, will accompany the member for Katherine on that trip.

Mr Speaker, I will conclude by referring to the Opposition Leader's pathetic performance in suggesting that the answer to the Territory's economic ills is for the government to spend some money on the Victoria Highway and to do something about the mooring basin and its related facilities. It was absolutely amazing. He thinks that the way to judge the success of the mooring basin is by counting how many trawlers are moored there.

Mr EDE: A point of order, Mr Speaker! The honourable minister's time has expired.

Mr SPEAKER: The honourable minister may continue. I have allowed a certain amount of tolerance for all members.

Mr PERRON: The Leader of the Opposition needs to realise that the success of the mooring basin cannot be measured by the number of trawlers tied up there throughout the year. Rather, it is a question of how many trawlers are there during the closed season because that indicates that they are not returning south between the catching seasons.

Mr TUXWORTH (Barkly): Mr Speaker, the debate today is probably a very important one for the Territory, more important than many others that will take place this year. It is interesting that 2 things were said by members opposite which really encapsulate our position. The Minister for Industries and Development commented a moment ago that he regarded the Leader of the Opposition's contribution as one of denigration. Secondly, the Minister for Transport and Works yelled out in an interjection: 'Have you got a day and a half to discuss the debate?' I think those 2 comments really bring us back to the crux of the matter of where we are at. It is pretty hard to have a 2-hour or 3-hour debate on the state of the Territory's economy in its present state. I hear someone asking why. The answer is that the subject is so complex and there are so many aspects of it that ought to be discussed. The Minister for Industries and Development has just raised half a dozen subjects that ought to be opened right up for discussion in terms of their development and their impact on the Territory.

As I read the Chief Minister's statement this morning, I tried to view it as a blueprint for the Territory for the next 10 years. The bottom line of the statement is that it is a collection of words put together by a bureaucrat but, worse, it is a collection of words put together by a person who has never been in business and has never had to do the hard things in business: to collect the debts, to find the money for the wages bill, to sit down with the tax man and see that his tax is paid and to ensure that overheads are covered so that the business can continue to operate. What is really important about such a statement is that it should be a paper that all the managers of business in the Northern Territory can take hold of today as an indication of the government's direction for the next 10 years. But how many people in

commerce in the Territory today will send this document to their head offices and say to their chief executives down south that the government has just announced a new blueprint? It is just not possible to take any bearings from it.

The difficulty in debating the state of the Territory's economy in a 20-minute speech today or over the 4 hours that will pass if everybody has a go is the very fact that I - and probably others on this side of the House - are talking about different issues to those discussed by the government. The government is trying to use hype to maintain the level of financial activity in the Territory. The reality is that a great many people are hurting very badly and want to know exactly where we are, where we are going and what we intend to do. Undoubtedly, the government is maintaining the hype for now but it is a matter of time until it says: 'All right, barleys. This is the program that we will put into place to hold the Territory together while we get out of our troubles'.

Mr Speaker, anybody who does not believe we have troubles out there really is not in touch with what it is all about.

Mr Coulter: Too bad you weren't here for my speech.

Mr TUXWORTH: I listened to every word of your speech with great interest.

The Minister for Mines and Energy made much play about the increase in revenue from the mines that have been operating in the Territory during the last year. I do not doubt we have more coming on, and that is terrific. But the increase that the Minister for Mines and Energy was talking about could be reflected in a currency movement of about 1¢ and an extra 300 t of uranium production at Ranger which would not increase employment in the Territory by even 1 job. We can massage those figures and feed them to the chooks out there as often as we like but we are not fooling anybody. People in the community are past the point where they will be fooled by contrived figures, because people on the ground are bleeding and they do not know how they are going to pay their next bills. They read all this rhetoric and they wonder where they are living. They want to know what is in store for them.

I make the point that, for 10 years, the rhetoric line has worked pretty well. It has done the community a lot of good but it is not going to stand up any longer because average Territorians, business men large and small and public servants, will not swallow the rhetoric any longer. We really need to know what the objectives are. I raised a particular example of that with the Minister for Tourism in the adjournment debate the other night. I said that people in the industry want to know what the objectives are. They do not want the government to wander around asking them what the objectives should be.

The other aspect is that Territorians not only want to hear from the government in terms of what the objectives are; they want to be heard themselves and they want to be understood. Their plea for this to happen is certainly obvious in the way the business council has been formed in the last 12 months. Business people are absolutely desperate, not only for the government to hear what they have to say, but for it to understand what they are saying. The biggest complaint they have is that they talk to government, it hears them, but nothing happens. The government does not understand them.

Mr Coulter: You have got hold of the Leader of the Opposition's speech.

Mr TUXWORTH: It just so happens that the Treasurer's dilemma is that business people are so exasperated now that they are walking around talking openly to anybody in the Northern Territory who will listen. They are talking pretty freely about what they think of the way things are going. If the Treasurer thinks that he can just spend his time interjecting and yelling down people who hold a contrary view, then I would suggest it is time he stood and listened for a while.

The point was made during the debate this afternoon that we have been savagely cut by the federal government. Territorians know that and they do not like it any more than the government does. We all hate it. But the fact is that we will get more cuts and anybody who does not believe that is not in touch with life. The business community is saying that it believes there will be more cuts. It is asking the government how it will manage that situation. It would like to know what arrangements the government is making against the next time the Commonwealth hoes into it. It cannot afford to have increased electricity charges or increased taxes because it cannot afford to pay any longer.

I would say that the Treasurer and the Minister for Housing would be well aware that people are not able to pay. The revenue is not there at the expected levels. It is no good hoping that it will come in during the last quarter of the year because it will not. People do not have it. That is the message for the government. It is not that people are unsympathetic or that they do not want to pay or do not want to have a go; they simply do not have the money any more. The government needs to enunciate a contingency plan, not rub people on the tummy and send them away saying: 'It will be all right. The feds will not do that to us again. We have had all we are going to get'.

Territorians understand that they have some pretty long-term commitments in the infrastructure that we are committed to but they also understand that there is no way that we can afford to stay with those commitments, any more than they want to be involved in entering into a 30-year debt for the development of a new office block. They just do not want to be involved in that sort of thing again. They want government out of those things.

Maybe what I am saying is heresy but I would like to put it on the record because it is what the people in the community believe and think. The reality is that we will have to get out of all the things that we have become involved in and which we probably regard ourselves as unlucky to be committed to. The world has changed; the things that were done in 1981, 1982 and 1985 were terrific and, if the world were the same, we could continue. But the world has changed. We have an unfriendly federal government and the stock market has crashed. Investors are becoming more sceptical and careful about where they invest. What hope have we if we just carry on like troglodytes doing the things that we have been doing for the last 5 years because to do otherwise would be an admission of some sort of guilt and wrongdoing? Even the laymen of the world noticed that, after the stock market crash, people like Bond, Holmes a Court and Elliot were disposing of goods and moving into other areas as fast as they could go in order to consolidate their positions. Perhaps it is time we looked at our position, recognised the world has changed and changed with it.

The other factor that I would like to touch on is that there is a major flow of people out of the Territory. We all recognise that. Government members might not do so today because it is not possible to follow the party line and acknowledge that. Privately, everybody in this room knows that there is a flow of people out of the place. They are not complaining; they are just

saying that it is time to go. There are no hard feelings. They do not go to meetings or write letters to the editor or blame anybody; they simply pack their bags, their business or whatever, and go. The problem with that is that we are losing many really talented people. There is also a flight of capital related to that. The effects of this movement of people and capital will become much more serious and have a greater impact on the Territory's economy than simply diminishing the tax base.

Mr Speaker, if honourable members do not believe that is happening, I urge them to stand at Three Ways and talk to people who are driving out with all their possessions loaded into their vans, cars, buses and trailers. They should listen to what those people are saying if they think the matter is exaggerated. Mr Speaker, if you go to the second-hand shop in Stuart Park, the man there will tell you that he receives 3 calls a day from people asking him to buy all their furniture because they are on their way. He said that he has never had such a fantastic business as he has had in the last couple of months.

Mr Coulter: Why is it fantastic?

Mr TUXWORTH: Mr Speaker, I would have thought that it would be obvious to the Treasurer but I will explain it to him. He is able to pick the eyes out of the business, buy what he likes and pay a pittance for what he does not really want. He is having a field day in the second-hand furniture game. Good luck to him.

Mr Coulter: He is selling it too.

Mr TUXWORTH: Who would jump to the assumption that he is selling it here? Did it ever occur to the honourable member that he is trucking it out and selling it somewhere else?

Mr Coulter: Is that correct?

Mr TUXWORTH: Mr Speaker, the honourable member has been asking people all afternoon to give him the facts. I invite him to talk to these people and find out for himself.

Mr Coulter: What is his name?

Mr TUXWORTH: I will take you down there this afternoon.

Mr Coulter: I can find my way around Darwin by myself.

Mr TUXWORTH: Mr Speaker, the honourable minister a moment ago reflected on the level of increase in tourist earnings in the community. They really are quite considerable. However, what people need to think about is that the costs are rising much faster than the earnings.

Mr Perron: That is dribble.

Mr TUXWORTH: You do not have any costs at the fish farm. You throw some bread overboard and you are in business.

Mr Perron: Tell us about the costs in Tennant Creek.

Mr TUXWORTH: Let me remind the honourable member that water, sewerage and electricity costs for motel operators have increased at a rate this year that just blows people's minds.

Mr Perron: Give us a figure. Never mind blowing your head off.

Mr TUXWORTH: Try 25% for sewerage and water. If members do not believe that it is going up that much, let me refer them to the bills that were sent out to the caravan parks in Tennant Creek in the last quarter. If they do not show a 25% increase ...

Mr Perron: Inflation.

Mr TUXWORTH: Now it is inflation. National inflation is falling, heading towards 6%, but in the Northern Territory we are increasing such charges by up to 25%. The point I am making is that, whilst tourist custom is increasing and revenue is greater, the cost pressures are really giving people a hard time.

Mr Perron: If they move out of Tennant Creek, there would be plenty of others willing to move in and take up their positions in the tourist industry.

Mr TUXWORTH: The honourable member has made a very broad statement. I would refer him to every tourist operator in Tennant Creek because they would all sell tomorrow if he could find them a buyer.

Mr Perron: Is that right?

Mr TUXWORTH: That is right. Let me say, Mr Speaker, that it is obvious to anyone who has read the Colliers paper on investment in the Northern Territory that it is a buyer's market.

I would like to come back to another point that the Minister for Industries and Development raised in relation to agriculture. Agriculture is an industry in the Territory that we would all like to see do really well. However, we are really having a bit of fun with ourselves if we believe that it has taken off and the world is all the go. There is no way that one can ignore the fact that agriculture in the Douglas-Daly area has done well so far by virtue of the government's support. We are really talking about what farmers will do and how they will survive when the support stops.

It is premature at this stage to pretend that we will have a great agricultural industry on the basis of what has been put in place so far. On the one hand, we see CSIRO retreating on the basis that it has come to the conclusion after 40 years that there are better places to develop agriculture and, on the other, we have our own experiments on the Douglas-Daly supported very heavily by the government. The government can present figures in any form it likes but the bank managers and hard-nosed businessmen know that it is not a dream world and it has to come to an end. People are not piling into agriculture to become grain growers.

Mr Coulter: One institution put $45m into the industry last year.

Mr TUXWORTH: Who put $45m in?

Mr Coulter: I will tell you the name of the bank later if you like.

Mr TUXWORTH: Mr Speaker, the problem that I began with is the one that I am ending with: that the government believes that anybody who questions the financial position of the Territory at the moment is involved in a process of denigration. That is not true. We all have a vested interest in seeing the Territory do really well. However, we are not doing really well and we need

to recognise that we have a problem and that it is likely to continue. We need to know how the government intends to manage the problem so that people in the community can make their own decisions on investment opportunities, on expansion, on new businesses, on whether to contract in some areas or whatever. For the government to continue its rhetoric about how good things are just will not wash when members opposite know as well as everybody else that things are really tough and there is no light at the end of the tunnel.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, there was one thing that the Leader of the Opposition said this morning that I found to be extremely refreshing.

Mr Manzie interjecting.

Mr COLLINS: He said the job of the government is to create the climate in which the economy is to flourish. I find that extremely refreshing coming from a Labor leader. I would like to think the Attorney-General might just reconsider some of his remarks. He jumped in before he had heard what I had to say and I am very disappointed in him.

I have always said in this House that the role of the government is to be the facilitator and not the controller and yet it is a great temptation for governments of all persuasions to want to control. Our country would be the most over-regulated country in the western world. We have regulation after regulation and all that is really needed is for governments to show a little even-handedness. Over the last 10 years or so, CLP governments have not always been even-handed. I was a part of those governments. For a long time, we had essentially a one-man-band in charge and he kept his cards pretty close to his chest. There was always another new development in Darwin and another crane on the skyline. Someone was always coming to the government saying that he wanted to put up a building but was not sure whether it was a good place to invest in. People would rush in saying that they would take a few thousand square metres of floor space. The building would go ahead, government officers would move into it and, as one set of cranes disappeared, someone else would arrive with another proposal and people would rush in to take another few thousand square metres whilst rushing out of some other place. If you happened to be the flavour of the month, you were encouraged to get in and build.

I find it very refreshing that the Master Builders Association has said, in relation to the $300m proposal, that enough is enough. There is so much spare office space around Darwin that it is stupid to continue in this way. It might keep some builders going for a while but what is the point of erecting buildings which will not have people in them? We need maturity in government and an even-handedness that will encourage people without the direct interference in the marketplace that has been occurring.

It takes courage for a government to tell the opposition, particularly a socialist opposition which wants 5-year plans with every 't' crossed and 'i' dotted, that it will not interfere in the marketplace, that it will facilitate but will not make deals favouring one group rather than another, that it will play it fair. Even if it looks as though it is doing very little, the government can create the climate for development by letting the private sector make the decisions without leaning upon the crutch of the government.

The Chief Minister referred in his statement to public service reductions. There have been rearrangements and considerable turmoil. I think it seems to be settling down at last, although it has taken a long time. I certainly hope

nobody goes leaping in with more bright ideas and making more changes at this stage, when people are just starting to understand how it is coming together. People need to feel that they belong and that has taken a long time to happen.

Mr Coulter: Do you want me to sack more public servants or something?

Mr COLLINS: No, I do not want you to sack public servants. However, I would say to public servants that they should learn what the Prime Minister of this country has learnt, albeit somewhat belatedly: that there is a very exciting concept which goes by the name of privatisation. I well remember Mr Hawke denigrating Mr Howard when he had the temerity to suggest that privatisation had many aspects which needed to be studied. It is rather interesting to see now that Mr Hawke is having his own words on privatisation jammed down his throat by the left wing of his own party. I would say to public servants that groups of them should be coming to government, if government is not coming to them, with propositions for moving out into the private sector. It only needs small groups to get the process started, and that is what happened in England. Privatisation happened in very small ways; it was not a blanket policy. The Thatcher government stumbled on it by sheer chance and then developed it better than anybody else in the world.

Many public servants today are very concerned about threats to superannuation and are realising that their conditions are shrinking. We hear talk about the huge wages being earned by executives in the private sector. That is because they are operating in a free market. Some public servants with get-up-and-go would find life a great deal more fascinating and exciting if they would break the shackles of the public service and the so-called security of that big superannuation cheque at the end of the road - which is now starting to come under question itself - and have the courage to get out and have a go.

Mr Leo: You are going to hand yours back in, are you Denis?

Mr COLLINS: That is totally irrelevant. My point is that there are public servants who have get-up-and-go, who are not finding satisfaction where they are, and who could be providing the services which the government is providing to the public in a more efficient and more satisfying way for themselves and the community. There is a challenge to them there and, if the government does not encourage them, maybe public servants themselves will figure out ways and means of approaching the government with proposals for moving into the private sector.

The issue of red tape is a fascinating one but the majority of people in the community are more concerned about the level of taxation than anything else. Essentially, we have no control over that: it is a federal matter and we need to apply as much pressure as we can on that front. It is good to see that, with the success of 'Rogernomics' in New Zealand, the Prime Minister is starting to think that perhaps the level of tax is too high and perhaps there are insufficient incentives for people to do their best to create the wealth which will create jobs for others and which will reduce our welfare bill.

I have often said in this Assembly that, when the taxation level gets too high, instead of gaining more revenue, the government could well receive less because there is more pressure on business to cheat in order to survive. The risks become worthwhile and people become willing to cheat the government of tax. Others are not prepared to bust their guts working 80 or 100 hours a week because much of their profits are taken by the government. Those people ask what the government does with that money. They see much of it being

wasted and they are far from happy. It is therefore encouraging to see Mr Hawke moving to reduce taxes. I believe that Mr Hawke may not be Prime Minister by the end of the year and that Mr Keating may well take over. He will reduce the level of taxation and I believe that will be a real incentive provided, of course, that other actions by the federal government do not destroy the benefits.

I have some suggestions for the government concerning ways in which it could help the Territory economy. Conveyancing is an issue I have often raised in this House. The legal profession has the monopoly on conveyancing in the Territory and is able to charge dearly for a pretty simple service, one which other people should also be able to perform for a fee. That needs to change.

In addition, the real estate industry is too heavily regulated and should be opened to competition. Just the other day, some people I know very well in Alice Springs, sold their house. They went to an agent. Their price, which must have been lower than what they could have obtained, was $80 000. It was sold that day. The bill from the agent was $3600. What a great business to be in!

There is only one way to control conveyancing and real estate agents so that their charges become reasonable and that is to open up the market. In New South Wales, conveyancing is so simplified that the prescribed forms can be filled in and exchanged by a buyer and seller as a legally binding contract between the parties. If a socialist state can do that, we can do it too. Perhaps the real estate industry and the lawyers have kicked the cans of the political parties which are looking after them and protecting their monopolies. It is about time that came to an end. The government has said that it will take the issue on board but I have not seen any action whatsoever.

Another problem relates to the deregulation of the banking industry and the fees that banks charge for mortgages. These ought to be published. That will encourage competition and lead to a better deal for people. I am not proposing that the government should control prices; I am asking it to open up the competition so that the market functions properly. A properly functioning market will bring prices to a level where the consumer will obtain the best deal. People will lower their prices to a level at which they can earn a living and keep going and below which they will have to get out. There should not be huge profits like $3600 for half a day's work by a real estate agent. I think the only better game would be tennis if you happen to be at the top - and not many people get there.

The Minister for Industries and Development mentioned horticulture and how we can sell every item of produce that we grow. Sure we can, but a market is a market and, if there is an oversupply, the price will drop and, if there is a shortage, the price will rise. Because of our distance disadvantages in the Territory, we have to try to fill those areas of the market which are not serviced, where we can produce at a price which will allow us to continue. Fortunately, we have those advantages and people are finding opportunities with a minimum of government help, which is how it ought to be. We are quite capable of going interstate, making our contacts, securing our agents, organising our freight and so forth without the government's assistance. I hope the government does not feel lonely but it is quite possible to do that and it is being done.

I would make one last point and it relates to the pastoral industry. There has been considerable comment over a long period to the effect that pastoral areas are becoming denuded and the land is being badly treated. One area I believe that the government could play a role in is land reclamation combined with pasture improvement. To my mind, the 2 go together. I would remind honourable members that, some years ago, there was an aerial photograph of Alice Springs on the front cover of the telephone directory. That photo showed a series of circles on the ground which were produced by a machine. That machine goes round and thumps the ground with an enormous roller, making footprints. The idea is to collect rainwater rather than having it simply evaporate from flat ground without germinating seeds. The water runs from a wider area into the smaller area where the indentation has been made. Seed either gathers naturally when the wind blows or can be planted so that it germinates when water collects and so establishes some pasture. That same pasture would do a great deal to help bind the soil, thereby reducing erosion by wind, water and cattle. I understand that one government department has a number of these machines sitting idle. They should be working day and night. They should be hired out to the Territory pastoral industry for use in improving pastures, improving the value of properties and protecting the countryside from becoming denuded through erosion, a process which is concerning large numbers of people.

Mr EDE (Stuart): Mr Speaker, I had hoped that we would get something new in the debate on the Chief Minister's statement but I am afraid that we have heard it all before. It seems to me that the government has reached the stage where each of its speakers has prepared a basic speech which is held on a word processor. Once every few months, they push the 'scramble' button which jumbles the speeches up and prints the results. They then stand up and make what are basically the original speeches. The only variation is that, if the economy is going down, the decibels go up. That is pretty well exactly how it seems to work and, if one points it out to them, the interjections start to flow. It is a shame, but their statements are becoming more and more irrelevant and I am afraid that they are turning the proceedings of this House into an irrelevancy.

They can make fine speeches full of glowing phrases but what they are saying is becoming more and more distant and divorced from the reality of the situation outside. All the pretty phrases, all the jumbled up statements over the years are moving further and further away from reality. Nobody is listening any longer. People are simply trying to batten down the hatches and get on with their own lives because they know that that this government has become an irrelevancy. That was apparent in the Chief Minister's speech this morning. The main thrust was an attempt to blame the federal government for the Territory's economic problems. It was an extraordinary statement, especially in light of the fact that all federal groups, including the Business Council, are expressing cautious optimism. They are undoubtedly cautious because of the international stock market crash, but the statements definitely indicate that the federal government is on the right track, and the figures bear that out.

Nationally, employment is up 3% compared to the situation in the Territory where it is down 13%.

Mr McCarthy: Oh, rubbish!

Mr EDE: Tell the man to check the figures, Mr Speaker. He just cannot add up or do simple multiplication. I will take him aside and show him if that is his problem.

Mr McCARTHY: Show us in here, now.

Mr EDE: Mr Speaker, I have just told you that employment nationally rose by 3% in the last year. In the Northern Territory, it is down 13%. Inflation is down nationally and it is getting closer to that of our trading partners. The budget deficit has been wiped out. We will probably come in with a $1000m surplus this year. How many years is it since that has occurred, Mr Speaker? Certainly not for a long time under the incompetent tutelage we were subjected to for nearly 20 years by the friends of the honourable members opposite.

International competitiveness has improved dramatically. Exports are increasing and our trade position has improved out of sight in the last 15 to 18 months. The national investment outlook is great. Unit labour costs are down and there has never been a better time to employ Australian workers.

In the Northern Territory, we need to follow what is occurring nationally and get our education system right. We need to link education and training right throughout people's working lives. We need to ensure that we have a highly skilled, highly efficient work force. We need not simply equal the quality of work forces and management personnel in the rest of Australia; we need to be better. We need to realise that the future of many of our trading activities will be directed towards South-east Asia and that, in those countries, the level of education and training is on a dramatic upswing. We cannot simply stand still as we have been doing for so long in the Territory. We must rethink the way we link education and training from primary levels right through to advanced tertiary levels so that people can become more mobile and can take advantages of new opportunities as they occur by having the basic skills and using the education and training system to obtain the other skills necessary to move forward continually.

The federal government, which has been decried here today, has restructured the steel industry, the shipbuilding industry and the motor vehicle industry. It has laid down a comprehensive micro-economic reform program and has simplified and reduced the tax burden on all Australians. The Hawke government has achieved something which has not been achieved for many years, if ever. It has achieved an historic consensus between business, trade unions and government. It has drawn together those 3 major components of the Australian economy so that their collective talents are directed towards the development of Australia.

This government cannot coordinate its actions with any of those groups. It cannot do so with the public service or small business. It cannot coordinate its actions with the Master Builders Association whose remarks we heard the other day. The public service and the workers of the Northern Territory now face the forthcoming Arbitration Commission case on the 17½% leave loading. It is quite clear that this government has serious economic difficulties. There is evidence mounting all around us with building figures showing a slump across the Territory, unemployment of 10.9% compared to the Australian average of 7.5%, falling taxation receipts in real terms and a slowing-down in population growth. The government is up to its eyeballs in debt and it has commitments to contingent liabilities that it certainly cannot afford.

Clearly, the Chief Minister needs to pull some economically rational rabbit out of the hat if he is to survive the knives of his mates in his own party. What does he do, Mr Speaker? The reality is not the grandiose statements that we heard this morning. The major activity that the Chief Minister will be engaged in over the next few months will be the well-worn tactic of bashing the public servants, the workers and the unions.

The debate in the public arena is opening out on the attempt to remove the 17½% leave loading. It will become a massive debate because Territorians are no longer prepared to wear responsibility for the economic mess that this government singlehandedly gets itself into. Territory workers have acted responsibly in restraining their claims for salary increases. They have played their part at a time of national economic restructuring and revitalisation. At the same time, they have watched this government pour the fruits of their restraint down the drain.

What would the abolition of leave loading mean to the average Territorian family? For a start, it would mean a 2% wage cut coming hot on the heels of the government-decreed increase of 20% in the wages of senior public servants. Where is the equity in that? The government decreed an increase of 20% for senior levels and wants to apply a 2% wage cut to average families in the Territory. The people are already living in a high cost environment and their living standards will fall further as their costs continue to rise and their ability to pay decreases. I will prove it.

Holidays are not a privilege; they are a right for every worker. If you cut leave loading, how will people be able to afford to take a decent holiday? It will reduce their chances of taking a holiday. What will that mean for the Territory economy? In one fell swoop, millions of dollars will be cut off consumer spending. If the Chief Minister succeeds in convincing the Arbitration Commission that it should remove the leave loading from public servants, that will flow straight on to the private sector. It will affect awards right throughout the Territory. Millions more dollars will be removed from the Territory economic cycle. Business, especially small business, will suffer from the cut. The retail industry, the manufacturing industry and the tourism industry will all suffer the consequences of the cut in spending power. That will mean higher unemployment and the further loss of a base for the Territory to make its economic comeback.

It does not end there, and the Treasurer should be listening to this. If the abolition were to flow through to the rest of Australia's 7 million strong work force - and that is what the government is trying to kick off at the behest of its mates from the New Right - something in the order of $3000m will be taken out of the hands of Australian workers that they could spend in our economy. Mr Speaker, make no mistake that that is what it is about. We are playing for big stakes here and this government is being used as a pawn by powerful forces to try to kick this thing off.

How will this impact on the Territory? The Chief Minister may make his saving of about $6m in public service costs. However, he should remember the $3000m that workers around Australia receive in leave loading. The Territory is a high cost tourist destination and 85% of our tourists come from interstate. If you knock that $3000m off the spending capacity of people around Australia, will they continue to come to a high cost destination? They will not be able to afford it. This government is so short-sighted that it cannot see that it is cutting its own throat. If that income is removed from ordinary people right around Australia, it would be places like the Northern Territory that would suffer most. As a high cost tourist destination, we will be the ones to bear the brunt first. The tourist industry, which at the moment is our highest employment generator with the capacity to generate more jobs than any other industry, will start to slide backwards. That will have been the work of this government.

A myth has developed in this country that Australian workers are somehow lucky to receive the leave loading. That myth ignores the fact that workers

in many advanced western economies have had the same entrenched condition for many years. Sweden pays a leave loading of 25%, France and Denmark 30%, Norway 32%, Greece and Finland 50%, Portugal and Belgium 100% and the Netherlands 130%. All of those are well above the 17½% that has been enjoyed by Australian workers who are not pampered in comparison to workers in similar-sized European economies. They are being paid much less. At the heart of the move lies the desperation of the government to divert attention from its economic failures by starting up a peripheral debate on another matter. As I said, this will rebound on the Territory if the government is successful. That is why we are going to ensure that it is not successful. It is using the old trick, used by desperate hucksters for generations, of trying to divert attention. It will not work this time because its transparency will be plain to every Territorian. We are not going to sit back and let the government pull that trick. The electorate and Territory families are tired of having their economic throats cut to pay for the mistakes of this grandstanding government.

Every day and every month, as we slide further and further into the economic hole that has been dug for us by this government, we find more clearly that the CLP government is bereft of skills in basic economic management. That lack of skill is epitomised by its mishandling of its own employees. It has taken what was essentially a good public service and developed it into a moribund public sector which stifles creativity and initiative. Its business sector is no longer capable of dealing efficiently with business. That is very dramatically illustrated by the recent desperate appointment of a facilitator by the Minister for Industries and Development. Instead of promotion and selection on merit or head-hunting for managerial talent, the government has installed inept cronies as executives.

Mr Dale interjecting.

Mr EDE: Mr Speaker, he is talking about very successful economies that have moved out of the recession and are now the pride of Australia, not one which is collapsing into its own hole.

The government has given its executive cronies outrageous and unjustified pay increases. Is it any wonder that public sector worker morale is low and that many of the best and brightest public servants are now starting to look for greener fields elsewhere? The Cabinet has a lot more to answer for. The approach of its members is slothful. It must be the only Westminster-type Cabinet in the democratic world that has a faceless gang of 4 whose job is to sort out which Cabinet submissions will actually go to Cabinet. Imagine having officers determine what is the business of Cabinet meetings! The Northern Territory Cabinet has what it calls a coordinating committee whose job is to look at all the submissions and decide whether they are written in simple enough words for the ministers to understand or whether they should be withheld because the Cabinet is incapable of handling them. The gang of 4, the coordinating committee, has made this Cabinet a laughing stock amongst business directors around the Northern Territory. It has become a joke.

The government rules by press release. I recall, soon after I came into this parliament, when I was shadowing the member for Casuarina who in those halcyon days was Minister for Health, catching him out quite outstandingly in relation to a list of drugs which were supposed to have been approved by the National Health Service for a particular set of diseases.

Mr DONDAS: A point of order, Mr Speaker! I was under the impression that the member for Stuart was discussing a statement made by the Chief Minister in

relation to the economy of the Northern Territory, not about a drug list that existed some 7 years ago.

Mr EDE: I will withdraw that, Mr Speaker. It is irrelevant.

Mr SPEAKER: There is a point of order. The member for Stuart will relate his remarks more closely to the debate.

Mr EDE: Mr Speaker, I certainly accept that. It was just that I saw the member for Casuarina looking lonely and I thought that I should involve him in the debate.

As I said, this government rules by press release. There have been some substantial recent examples of that. Members will recall how, before the last election, the Treasurer was beating up a proposed BHP project which was supposedly to occur on Elcho Island and which would have exploited a mineral used in manufacturing batteries. It is hard to recall the details because we have become so used to government by press release that we do not take particular notice of them. Unfortunately, the rest of the Territory is not taking much notice either. We had the $300m Anderson development announced in a blaze of glory. It has now been trimmed by half and sounds as though it will disappear altogether. We had the Treasurer's liquid helium gas-stripping project which was to be in place in a matter of months. As far as I know, it is still in that dreaded limbo called the planning stage. It is quite incredible to see the way this government snatches these shibboleths from the air and puts them on the front pages of newspapers in the hope that, if they talk enough about enough of them, maybe one will become reality.

The Chief Minister summed it up quite well on television. I recall him standing before the cameras and saying: 'It is all right. Everything is all right. The basic indicators all show that everything is going well'. The interviewer said: 'Which indicators, Mr Hatton? Can you name 1 or 2 of them?'. He had to say: 'No, actually I cannot name them but they are there. They are there, you know'. When pressed, he was unable to name 1 indicator which was actually positive but we are expected to accept his assurance that nameless indicators, that had never been measured, indicate that everything is satisfactory.

That is the type of economic leadership which leaves people in the Northern Territory bemused, amazed and more and more with a feeling of hopelessness. The Chief Minister's statement was typical of a government turning to its last resort. He spoke about how the Darwin economy was flat and going down the tube, but said that there was light at the end of the tunnel. His statement created a vivid image for me. I imagined members opposite sitting up in the fortress of the Chan Building besieged by Indians, with the Leader of Government Business up on the top battlements, with the economy crashing all around them when, off in the distance, a sound was heard: the Second Cavalry Regiment, charging over the hills from Canberra to save them once again. That was when I realised that the Chief Minister has given up completely on the concept he was talking about at budget time last year: the change from an economy led by the public sector to one led by the private sector. He has now acknowledged that the only thing that can save him is the arrival of the cavalry.

Mr HANRAHAN (Education): Mr Speaker, the eloquence of the member for Stuart leaves a lot to be desired. In fact, I will have a great deal of difficulty maintaining my good humour during this debate.

Once again, we have seen the completely negative approach of members of the opposition. I recall press reports last week in which the Leader of the Opposition stated clearly to everybody living in the Northern Territory that one of the main issues on the agenda for this Assembly sittings would be the state of the Northern Territory economy. And here we are today. We are discussing the state of the Northern Territory economy and the debate has literally been treated with contempt by members opposite. And why, Mr Speaker? Because members opposite take the view that, if they do not approach the subject negatively, it is impossible to debate it. That is pretty easy to understand because their intellects are not capable of taking hold of the very many positive aspects of the Northern Territory economy.

I now make a point for the benefit of every honourable member in this House, members of the press who are present and for people in the public gallery. Look at the opposition benches and the crossbenches while we debate the Northern Territory economy. Not one single member of the opposition or member from the crossbenches is in the House to hear us attempt not only to clarify the position of the Northern Territory economy but also to look at the positive aspects and the initiatives which have been taken. Although I do so lightheartedly, I must commend the member for Sadadeen. He is the only member from the crossbenches or the opposition who has attempted in this debate, in any way, shape or form, to raise anything positive. It is not that I agree with his positives, but he did attempt to raise some.

The absolutely farcical performance of the member for Stuart needs to be highlighted. He began by talking about the Northern Territory position on trade and economic matters with particular reference to 2 points. The first of these was trade with South-east Asia. He expounded on that briefly and negatively.

I welcome the member for Koolpinyah to the Chamber who has seen her way clear to join this important debate this afternoon.

Mrs Padgham-Purich: I was in here earlier when you were not.

Mr HANRAHAN: Thank you, Noel.

Mr Speaker, the member for Stuart raised the subject of the initiatives and expertise of the Northern Territory government in developing a sound economic position in relation to South-east Asia, particularly in respect of trade. He went so far as to say that we have been standing still. What a hypocrisy, what an admission of his absolute ignorance of what happens on a day-to-day basis in government in the Northern Territory! Let me talk about horticulture, farming, cattle, buffalo and investment ...

Mr Dale: Education.

Mr HANRAHAN: I am coming to education. I shall deal with it separately.

Those subjects were covered, I thought, in pertinent detail by the Minister for Industries and Development. He spoke about the advances that the Northern Territory government has made in the areas of horticulture, farming, and cattle and buffalo production. We know that is happening. We know the export value of that trade and we know about the effort, expenditure and commitment of the Northern Territory government to develop those industries, particularly horticulture. It is all happening. It is all under way and there are plans in place making it happen. Not only is it earning revenue for the Northern Territory but it is bringing in export dollars which assist

Australia's balance of trade in the world economy - not that it is very good. If members opposite could do their figures or had the nous to put some information into a computer and interpret the output, they would see that, on a per capita basis, the Northern Territory contributes rather well to the state of Australia's economy.

One of the other main ingredients in the development of the Territory economy happens to be the Trade Development Zone. Was it mentioned by members of the opposition? It was not, Mr Speaker, and I will tell you why. They did not mention it because it is starting to work. There has been a high level of capital investment and it has been good and sound investment. But do we hear a word about that from the opposition? No. Not any more, Mr Speaker. Do you know why? The reason is, as the Hansard record will prove to everybody, that members opposite have done nothing in the last 5 years but knock, knock, knock. They have tried to put the zone down in every possible way, shape and form. The Trade Development Zone is now starting to create jobs and, more importantly, it is creating jobs in areas that are diversifying the Territory's economy. The Leader of the Opposition and members opposite could not give a damn about that because it is a positive development. Remember, they can deal only with negatives.

Mr Speaker, let me talk about education very briefly and outline some of the positive developments. I will use the example of past and present governments in Western Australia. Western Australia is the leader in the development of education; in other words, it exports education. The sale of education contributes in excess of $90m per annum to the Western Australian economy. More than 5000 people from overseas enrol and participate each year in education in Western Australia. All of those students have parents, grandparents and other relatives. Education has been one of the mainstays of the Western Australian economy. It attracts investment. It attracts people to buy a house or a unit or to come on a visit at school holiday time. They all come, they all purchase goods and contribute to the economy.

What are we doing in respect of education? We are selling education in places such as Brunei, Sabah, Indonesia, Malaysia and Hong Kong. We have not yet heard members opposite carping ad infinitum about the private enterprise initiative of developing an international grammar school in Darwin associated with the International Baccalaureate Diploma and the United World Colleges. Maybe they will catch up with that shortly and no doubt they will also find something wrong with it. Isn't it unbelievable, Mr Speaker? This initiative is organised totally by private enterprise without any government assistance and has the full endorsement of the federal Minister for Education. This school will have approximately 1000 students within the next 2 years. The target is 500 local students and 500 from overseas; that is, 500 people added to the Darwin economy. 500 people buying air tickets and, possibly, a quarter of them buying homes and units. Another positive initiative!

But what did we hear from the member for Stuart? In very broad detail, we heard about the wonderful things that the Australian Labor government has done for the Australian economy. We did not hear about the woes. Let me put his remarks in context. He spoke about the shipbuilding industry, the steel industry and, would you believe, the motor vehicle building industry. How relevant is that to the Northern Territory economy and to creating jobs here? What a load of hogwash! If that is the only information that the member for Stuart can contribute to this debate, he stands forever condemned because it proves once again that he does not know what he is talking about. He cannot add to his list of negatives because he has run out of them and automatically dispenses with the positives. It was amazing stuff and, for the benefit of

honourable members who may not have heard it, he actually said that the federal government had reduced the tax burden on Australia's population. The mind boggles!

The member for Stuart spoke, in very scant detail, about the 'improved' balance of trade position. He highlighted the fact that, for the first time in many years, we face the possibility of Mr Keating presenting a budget that will show a surplus. But did he tell us why it will have a surplus? No, he did not. We know about the fringe benefits tax and personal tax. We know about tax ad infinitum. We pay it on everything. That is the main reason why there is the possibility of a surplus in this year's federal budget. It is a budget developed by stealth, not honesty.

I believe that some thought needs to be given to the directions that this government has had to take because of federal government intervention. These have affected every person in the Northern Territory. Let me just deal with a couple of them, and I will try to do so in a positive light. What about the reduced electricity subsidy to the Northern Territory? There was absolutely no warning of it - slash, and it was gone! We were told not to worry about it. We were supposed to be overpaid and overfed. We were to be machine-gunned the next day. We were to turn off our air-conditioning. Out the window went the electricity subsidy.

What about the reduced funding for the Northern Territory in terms of semi-government borrowing? What about the reduced funding for capital works? What about the reduced funding for road programs? Who is responsible for that? Health and education have not escaped the wrath of the federal Treasurer either, even though 25% of our population is Aboriginal and we have to deal with the tyranny of distance in catering for the needs of people in remote locations and an infrastructure level far below that in the rest of Australia. What does the opposition say about that? It is defensive. It says it is okay because the federal government has to balance its budget. How did it do that? It cut the Northern Territory. This opposition cares as little as its federal cohorts in Canberra. It is shameful.

What about some of the things that would improve the Northern Territory's economic position? What about uranium mining and the federal government's farcical handling of that? Where does the opposition stand, particularly the member for Stuart, a member of the centre left. What will his position be at the National Conference of the ALP this year? I see him turning around to face the music. Good on you, Brian.

What about airports? What about the positive aspects of getting the Northern Territory economy moving? We need better airport facilities because we need people visiting this Territory to generate income. They are not coming in sufficient numbers because international airlines will not come to Darwin until new facilities are built. What has had to happen in that case? The Northern Territory government and the Northern Territory taxpayer have been forced to put a proposition to the federal government whereby we take the onus and accept some of the risks for developing those facilities. That is absolutely shameful.

What about our national parks? Do we control them? No, we do not. They are still controlled by Canberra which will not hand them over to the Northern Territory. What could inhibit our Northern Territory more? We do not have the right to control and facilitate the access of people to those parks and that puts us at a severe disadvantage.

Then there are such things as mining and Aboriginal land rights. Do we really control them? We do not, because members opposite spend their time shoring up their relationship with their colleagues in Canberra to the detriment of the Northern Territory economy. They will not talk about that. Perhaps we need a new phrase: a negative negative. They cannot do anything positive. They do not want to negotiate on how we can gain control of these things for the Northern Territory. They will not talk about that at all because it is just too positive. Their performance is pathetic.

The member for Stuart made great play about high costs in the Northern Territory. What about the railway line? What about shipping and improved shipping and port facilities? What about improved airline access? Would those not be greatly beneficial to the Northern Territory economy? I am sure they would be, but what stands in our way, Mr Speaker? The federal government and the negativism of members opposite who do nothing but shore up federal ALP policies. They are totally devoid of any real initiatives or matters of substance in this House. That fact puts paid to any of their arguments.

The number of tourists coming to the Northern Territory is increasing, and so it should be. Against all odds, we have seen fit to devote a rather large percentage of our diminished budget to developing strategies and resources which are needed to maximise benefits to the Northern Territory from the tourism dollar. Last year, tourists spent some $300m in the Territory. This year, it will be $340m to $350m. On average, that is $59 per night or about $425 per person over an average stay of 7.2 nights. Members also should be aware of the statistics relating to our visitors. Only 17% of visitors come from overseas whilst 30% are Territorians travelling within the Territory and 53% are from interstate. 52% travel by air, 31% by private vehicle and 10% by coach. We want more tourists. How can we get them? It boils down to spending more money in marketing because that is what is happening everywhere else in Australia.

In the context of this task, let us look at the negatives we face and the factors outside our influence. Anybody who has been reading the press recently will know of the absolute debacle that is now occurring at Sydney and Melbourne international airports, not to mention the problems at Brisbane airport. The federal government is now embarking on an urgent $18m upgrading program at Sydney airport. That will not rectify the problems of 12 months ago, let alone tomorrow's problems. We hear regularly of near misses in the skies in Sydney. The reason for that is because the airport has the most antiquated radar system in operation in a major capital city anywhere in the world. What is the federal government's response? It will spend $80m over the next 5 years. It forgets to mention that the facility will not be operational until 1992. Forgetting Melbourne, which does not even rate, let us consider the Brisbane international airport. There is no new terminal for the Expo visitors. It will take 7 or 8 minutes for a jet to land and taxi to the terminal. Only 1 jet at a time can taxi and only 1 jet at a time can take off or land. An absolute debacle, Mr Speaker!

We are facing a situation where shameless influence is wielded in the Australian economy and Australia generally by the residents of capital cities to whom the federal government panders without any shame whatsoever. It completely ignores the fact that the Northern Territory, with 1 international airport, has the opportunity to take the pressure off those capital cities completely, with an investment of Commonwealth funds of approximately $40m. What does it do? It says that it cannot help the Northern Territory. Why can't it help the Northern Territory? That is simple: because the Territory has a Country Liberal Party conservative government. What do we hear from

members opposite? They do not stand up and fight. They do not know how to. They cannot think of the positives; it is always the negatives.

I will take the opportunity to illustrate the true character of Territorians. I will use an example from Alice Springs, Mr Speaker, and it relates to something that you have worked hard on. I refer to the Ghan Preservation Society. I believe the facility in Alice Springs which has resulted from that society's work will be the most popular tourist attraction in the town. Members of the public or the press who are listening should make the effort to look at it. It represents a total investment of $6.5m, of which $800 000 was a bicentennial grant.

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

Mr PERRON (Industries and Development): Mr Speaker, I move that the minister be granted an extension of time to complete his remarks.

Motion agreed to.

Mr HANRAHAN: The project has received $800 000 in bicentennial funding and 100 000 voluntary man hours of work. Would you believe, Mr Speaker, that this project has received investment in kind of $3.5m - in donations, manpower, resources, equipment, supplies and so on. The minister has also located a jail on site for the supply of manpower. Over many years, this project has highlighted the fact that Northern Territorians still are, and always will be, an enterprising people. While this government is in power, that will always be the case. We will encourage enterprise, we will encourage independence and we will always encourage positive thinking. We know for certain that we will never get that from the members opposite because it does not fit their philosophy and they do not have the capacity for lateral thinking.

As the Treasurer and the Chief Minister have indicated, there are areas of downturn in the Territory but there is no reason whatsoever to lose our optimism, nor to lose sight of our Territorian identity, nor to talk down the economy. There is, however, every reason to continue fighting for what is justly our right and it is our right to survive on an equitable basis with all other Australians.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, it is a great pity that the Minister for Tourism is not the Chief Minister today because, if he had delivered the economic statement rather than the Chief Minister, we might have been more awake and the experience might not have been as enervating. At least the minister has a bit of life in him.

The Chief Minister's economic statement was certainly timely. I do not know whether it is too little too late. It seems to me that we have been given another dose of rhetoric at a time when everybody has had enough of talking and wants to see a bit more action. His statement was long and involved but it did not say an awful lot. He kept repeating the same things: the government has formed another committee, the government is looking at initiatives and so on.

Early in his statement, the Chief Minister spoke about the administrative arrangements which he has 'set in place for industry portfolios, ministerial statements of government directions and achievements, the refining of policies and various government publications and documents'. That is all very well as far as it goes but it is all talk. There is no action because of it and

nothing productive is happening. It is all introverted and one could say that it is taking in everybody's washing. It is only talking about what the government is doing internally. It is not talking about what the workers are doing.

What we need more than anything else is action from the government. The Chief Minister seems to follow the principle of when in doubt, form a committee. That is exactly what he is saying in his statement. He is talking about forming more committees to tell us what to do. They will probably consult industry along the line but, if they do not start doing something, productive, people will have left the Territory and it will take a long time to get them back and to get the work force moving again.

I do not have any argument with the necessity for development. I do not have any figures with me today, but I have seen them. Despite what honourable ministers say, our population is decreasing. One only has to walk around the town area or drive around the suburbs to see the increasing number of 'For Sale' signs on houses, offices and businesses of all sorts. In my electorate, I have never before seen as many 'For Sale' signs on gates and blocks as there are at the moment. People are leaving. There is a depressed real estate market. It is definitely a buyer's market, not a seller's market.

Some time ago, the Treasurer made a statement. He was advocating - and these are my words not his - the thorough inspection of current industry and its value-added components so that all facets of a particular industry at a time would be investigated from go to whoa no matter where it was in the Territory. At the time, he may have been talking about the mining industry.

I would like to raise the example of another primary industry which, I believe, is only partially developed. We do not have to go into highly expensive developments in the Northern Territory to get the Territory on its feet. There are so many small projects that could be started. If we look at the cattle industry in detail, there is much more development that the Northern Territory government could encourage. At the moment, meat is the only product from the cattle industry that is of real benefit to the Northern Territory. We do very little with the by-products. We do not do anything with the skins; we do not have a tannery here. We do not do anything with the hoofs and horns; we do not have any tourist-oriented souvenir trade organised to take advantage of the industry's by-products. We could use the horns for the food industry in the form of gelatine and I believe it can be used industrially also. That is taking only one possible industry. I have not investigated possibilities in the fishing industry because I do not know it as well. However, if we investigate each existing industry, I believe we could go a long way towards developing the Territory with very little effort.

I would like to comment on remarks made by the Minister for Tourism on the formation of a private school in the Northern Territory. Somebody connected with that school came to see me because he had heard that I was violently against the project. I am not. I believe it would be a marvellous thing if this private school were developed in the Northern Territory. It has been called an elite school but what is wrong with a little bit of elitism? I would be pleased to see this private school developed with overseas money, with overseas students coming to the Northern Territory and being educated with spin-offs as their families come to see them and to see the Territory and also with further education facilities being offered to Northern Territory children.

What I am violently against is the siting of this school. To propose that Berrimah Farm be sold is taking the ridiculous to extremes. If I were a parent wanting to send my children to an elite school, I would also expect the school surroundings to be elite. The Berrimah Farm site, however, is right next to an abattoir and, in the dry season, when the south-east winds blow, that is certainly apparent. The site is right next to the Darwin Prison, from which hardened criminals have escaped from time to time, and it is right in the middle of an industrial area. What a beautiful place to site a private school! Without very much thought, I could immediately give an example of 2 places in Howard Springs in my electorate, where this private school could be sited at great advantage without any of the hassles that I have just mentioned.

In the context of economic development, what does it mean to sell Berrimah Farm as a school site? It could be said that there is plenty of land around, that we have another experimental farm on the coastal plains and therefore there is no cause for concern. But, I will give an example of what I believe will happen as a result of the cutbacks in the budget for the Department of Primary Production, and I am still calling it that rather than Industries and Development. Recently, I had some problems with one of my goats which has necessitated blood tests for copper content and it looks as though the department will not be able to do these tests for me. If I could pay a private veterinary practitioner to do it for me, I would. It is a simple test but it is an example to the industry of things to come. I can see cutbacks in primary industry all along the line unless the relevant minister does something about the situation pretty soon.

The horticultural industry is in its infancy in the Darwin and Katherine rural areas and in other places and it needs the backup of research facilities. In that context, the government is considering selling Berrimah Farm. Does it intend to locate primary production staff in the Milatos building where people such as stock inspectors are as useless as ashtrays on motorbikes? If research facilities are lost, the industry certainly will not go ahead.

Mr Perron: What is happening on all the farms, Noel?

Mrs PADGHAM-PURICH: What farms? Doesn't the minister know anything about the government research programs that are undertaken at Berrimah farm? Obviously not. It might pay him to talk to the people on the ground because, if any department has unrest and dissatisfaction and is being deserted in droves by its staff, it is the department responsible for primary production. I will have some more to say about that in the future.

Whilst I may be ignorant of some matters, I do know a little bit more about primary production than the minister. He has more than a few problems in his portfolio. He spoke earlier about the encouragement being given to primary production. I do not know if this is par for the course, but the goat breeders wrote to the department asking for help in certain marketing procedures. They did not want to be given handouts; they wanted help and advice on marketing procedures. It has taken more than 2 months for a reply to arrive. If it takes 2 months to obtain a reply to a request like that, it will take an awfully long time to get the project itself off the ground.

I now turn to the mega-office development about which the Chief Minister seems to be so confused. First we heard that it would cost $300m and be built about where we are now. The cost was then reduced to around $150m. One report on the development stated that it would include a multi-million dollar

park development also but that there would be no social amenities in the park. When people see no clear leadership direction from the beginning on a project like this, they become rather worried. If ministers and members opposite would only take the time to talk to small business people in the Winnellie area, they would realise that those people feel uncertain about their futures. I am talking about people who have been in business for a number of years, not fly-by-night people. They are looking for a leader. It is almost as though they are looking for a messiah. It is a bit useless for them to look to the CLP government because it does not even give them the time of day to listen to their problems.

Mr Hatton: That is not true.

Mrs PADGHAM-PURICH: It is true. When did you last go around the Winnellie area and talk to little people? I am not talking about your CLP minions.

To return to the project which has been mooted by the Chief Minister, I have nothing against Mr Anderson investing his money in the Northern Territory. Indeed, he has already done so at Tipperary Station, to the great benefit of the Northern Territory and to the tune of many millions of dollars. I believe that he has only begun down there and that he will be spending many more millions of dollars. What we have to be careful about in relation to the mega-office block proposal is that it is to the benefit of the people of the Northern Territory.

Instead of building yet another office block when we already have a vacancy rate of about 20% to 25% in offices around town, why doesn't the Northern Territory government, in consultation with Mr Anderson, talk about investing money in the railway? Investment in a railway and a private port would certainly bring more much-needed development to the Northern Territory. It may not give us a new Legislative Assembly but it would be the realisation of many people's dreams. A private port would certainly be to the betterment of the Northern Territory because we could then avoid the Port of Darwin. Although the Minister for Transport and Works has extolled the quick turnaround in the Port of Darwin, he may have been comparing it to the situation a couple of years ago. I believe that, compared with the efficiency of processing ships in other places, the Port of Darwin comes off second best.

I do not know Mr Anderson. He may have thought of something like this. I know that he is a man of wide vision and, although I do not know whether he is actually doing it yet, I have heard that he is talking about farming a certain product at Tipperary, setting up his own abattoir and flying out the product, thus controlling the whole process himself. That is the sort of development we want for the Northern Territory and people like Mr Anderson are to be congratulated. Could I suggest to the Chief Minister that, instead of building yet another office block which is not necessary at the moment, he consult with Mr Anderson or other major financiers about developing, in tandem, a railway and a private port?

I agree that further economic development in the Northern Territory is necessary, that it is not all bad news and that the CLP has not done a bad job in some respects to date. However, I believe that the government should concentrate more on developing projects not only in Darwin and the Top End but right throughout the Territory where particular products are located, as the Treasurer recommended. That would certainly result in development and decentralisation which would work towards the growth of the Territory economy.

Mr FINCH (Transport and Works): Mr Speaker, right from the outset, let me say that I have absolute faith in the Northern Territory and absolute faith in the economic direction of this government. I have that faith because 90% of the population has it. Fortunately, all of my colleagues not only share that faith but are providing practical and meaningful direction towards achieving the government's economic goals.

Over the last month or so, we have heard the opposition complain, aided and abetted by the so-called barbed-wire sitters, about this government's lack of economic strategy. For the past 10 years, this government has had the basic framework and the basic policies to create meaningful economic development in the Northern Territory. The basis of that is the platform, policy and philosophy of the CLP government as espoused in the policy document which talks about people's freedoms and their ability to get on with the job and make a go of their lives without constraint. There is one whole section, containing 12 parts, about development strategies. Our policies are relayed to the community through each budget and through each policy statement at election time.

We ought not to be trying to put down in black and white here what is already in place. What is a development strategy? For that matter, what is - the current catchphrase of business - a corporate plan? What is, to use a term in vogue in the construction industry in recent times, a construction flow chart? I will tell you what those things are, Mr Deputy Speaker. They are simply phrases which describe what people are already doing. We have no need for them, except to quieten the yaps from opposition members.

Mr Ede: Critical path analysis?

Mr FINCH: Mr Deputy Speaker, I am pleased to see that the member for Stuart is awake. I have no objection to talking to him alone. I hope that he absorbs some of what I have to say because I wish to be extremely constructive. I do not mind if he continues with his habit of swinging around and turning his back to the Chamber because it makes no difference whether you talk to the front of his head or the back of it. However, I ask him, if he cannot listen now, to at least do himself the favour of reading the Hansard report of what my colleagues have had to say in this debate.

Government is serious business at the best of times and business in today's world is extremely serious. We do not need to treat it frivolously. We do not need to use people's balance sheets for political advantage. Times are tough, but they are certainly not tough in the Northern Territory because we have hope. We need the cooperation of the opposition in this matter. We need the cooperation of the cross benches and we particularly need the cooperation of the community and the media to ensure that we do not slip up in taking advantage of the many opportunities that are available to us here in the Territory.

The strategy paper that is to be developed later, in association with the budget, is a statement of the government's ongoing - and I emphasise 'ongoing' - economic planning. We need to be conscious these days that business changes from day to day. It is a fast-moving economic world. We need to trim our sails from day to day to suit the breeze that blows. The role of this government is to try to facilitate development. Over the last 9 years, we have put into place the infrastructure through which we can take advantage of our many natural attributes. It is particularly important that the Territory economic base continues to grow. It is still evolving and the efforts of this government are important. I would particularly like to

acknowledge the efforts of the Department of Transport and Works. It is important that we ensure that planning and infrastructural development are closely interrelated.

I will address briefly some of the inane comments made by members opposite and put their criticisms to rest. We heard from the member for Barkly, the latter-day doomsday economist who once seemed to share our vision for the future of the Northern Territory. How times have changed! We have also heard from the Leader of the Opposition who has never been involved in business and pretends to be able to understand what people in the business community are saying. I can assure the honourable members opposite that my colleagues and I all circulate among the business community. Not only do we hear what is said but we listen and, more importantly, we understand. Most important of all, we are able to implement some of the ideas that are put to us.

It is all right for the member for Barkly to talk. He set up a monopolistic bottle factory in very good times. It is all very well for the member for Sadadeen to talk. He has - and I give him credit for it - developed a very fine grape-growing facility. He did that in his spare time whilst sitting in the comfort of a full-time job elsewhere. That, and the sort of track record that we have ...

Mr Bell: And what did you sit on until a year or 2 ago?

Mr FINCH: Let me tell you about what happened a year or 2 ago, Mr Deputy Speaker. In 1977, long before I had the slightest thought of entering politics, when times were not exactly bright and business was a little tough ...

Mr Bell: You are not exactly bright, Fred.

Mr FINCH: Mr Deputy Speaker!

Mr DEPUTY SPEAKER: Order! The member for MacDonnell has just returned to the Chamber. Already he has commenced to disrupt the proceedings. I would ask the honourable member to allow the Minister for Transport and Works to make his speech without interruption. If the member wishes to interrupt the proceedings, I suggest that he move outside.

Mr FINCH: Mr Deputy Speaker, I understand the frustration of members opposite. It really is difficult trying to have any sort of logical debate with them at all. This government has been an open government. I understand the dilemma of the member for Koolpinyah who asks why the government does not tell people what is going on. We do not tell people what is going on behind the scenes for one simple reason, and that is because members opposite and on the crossbenches and, on many occasions, the media, seek quite deliberately to denigrate proposals put to the government before they even have the chance to get moving. We have heard much about the Anderson proposal. It is extremely presumptuous of members opposite to make any suggestion about how Mr Anderson ought to spend his money. It is presumptuous of them to suggest that we have not been putting other proposals to him. We are not going to say one word on the subject for the very obvious and logical reason that we cannot trust members opposite with any sort of information. The first thing they would do is try to destroy whatever was being put into place.

Let us look at some of the constructive things that the Department of Transport and Works has been doing. When we look at the port, it is easy to see the level of infrastructure that has been put into place. Some $20m has

been spent on it over the last 4 or 5 years and it is fitting into schemes that are being developed by the Department of Industries and Development in agriculture, horticulture and fishing. Those developments will complement the proposed railway link. Honourable members opposite may think that the railway is a dream but I will talk about that in a moment.

The number of passenger cruise ships visiting the Port of Darwin is increasing. In themselves, they are a boost to our tourist industry and to our economy. In 1984, Darwin received only 1 visit from a passenger cruise vessel. By the end of this year, we will have had 3 visits by the Coral Princess, 2 visits by the China Transport Company ships and 6 by P&O - a total of 13. That is a pretty good performance when compared with that of only 4 years ago.

Last year, the first of the big years, we had the Illiria, the Coral Princess, Sagafjord, Fairstar, Alexander Pushkin and the Royal Viking Star. The Royal Viking Line must have thought things were really bad in Darwin given the adverse press and the lobbying done by the former opposition spokesman for transport matters in respect of that visit. The misinformation that was spread about was quite incredible but, in fact, the first vessel to be committed to visit here next year belongs to the Royal Viking Line. It is not the vessel we saw last year, the Royal Viking Star, but the Royal Viking Sun, which is still under construction. It will be one of the largest super-luxury liners ever put on the cruise market. This is in addition to the giant German company ship, Europa.

It is not only our port infrastructure which is attracting these vessels. The activity results from a cooperative effort between all persons concerned, including the shippers, the agents, stevedores and wharfies. The port has put into place an efficiency task force, which is very innovative in Australian terms and has now been taken up by other ports, to ensure that the port provides the best possible services. The Port Authority is working towards establishing new shipping services and that will result in reduced costs throughout. There is a pressing need for us to establish a regular Darwin-Singapore service, as well as a service around the South-east Asian ports. Not only would such a service help to make the port more efficient, it would provide a logical lead-in to the railway land bridge concept.

Increased shipping provides a boost for the Trade Development Zone. We have had an increase in the number of rig tenders which have opted to use the Port of Darwin as opposed to travelling an equal distance to Western Australia and that is because of the service and attention they receive. There has been a substantial increase in meat shipments and there is a continued effort by all to ensure that the correct atmosphere prevails. Despite the protestations of the Leader of the Opposition, 76 of the 80 berths in the mooring basin are now fully booked on an annual basis. That owes much to your work in the early days, Mr Deputy Speaker. Of those 76 permanent berths, according to my figures, 49 are for fishing and commercial purposes and the vessels involved all use local facilities and provide revenue to the local marketplace. The problem we will have in the future will be to provide additional facilities.

It is great to see the basin empty at this time of year because you and I know that that indicates that fishermen are out gaining product. The Leader of the Opposition's carryings-on about prawning were ridiculous! He needs to talk to some of those people and realise that they need to fish almost all year round and move into different kinds of catch. There is really not much point in their working their boats for only two-thirds of the year. That is why, other than for yachts and pleasure craft, the basin is substantially

empty most of the time. If the Leader of the Opposition visits the mooring basin during fishing closure periods, he will see how many people are actually operating from it. Even though he may think he is an expert on private enterprise, he ought to familiarise himself with what is happening and why the basin operates in the manner it does.

In regard to aviation, we have heard the Minister for Tourism reflect on the need for infrastructure. I will not harp on the past because, in recent days, we have been able to obtain some cooperation through Hon Peter Duncan. I should applaud him for the advances we were able to make in moving towards a commonsense approach. We need cooperation, not the confrontation members opposite would have. We are looking for $60m to $65m for the development of the Darwin Airport facilities, a development which will be undertaken substantially by private investment. We hope the federal government will make a reasonable contribution towards that development and I am awaiting a response from it. Some $20 to $25m is required for the Alice Springs Airport. We would have proceeded with the job long ago if we had been free to do so. Fortunately, we can now see some light because of the cooperative approach that has been taken.

Honourable members will be pleased to know that there is a need for further expansion at Connellan Airport as a result of the record rate of growth last year - the highest in Australia, including Cairns. There was a phenomenal increase in the number of people flying to Yulara. In years to come, we will need to provide facilities at Kakadu and planning is well advanced for that. Obviously, the tourism generated by that development will be of tremendous benefit to the Territory economy.

It is not simply a matter of having the infrastructure in place. We have been encouraging international flights. Mr Deputy Speaker, during your period as Minister for Transport and Works, you encouraged overseas airlines to come here. Singapore Airlines will be coming in next month and there will be extra seats on Royal Brunei Airlines. There has been a 50% increase in passengers over the last 12 months. Another 2 international airlines are close to making decisions about coming to Darwin. The air terminal will be a critical factor not only for those companies, but also for further tourism infrastructure development that will follow. This is all the result of solid planning by this CLP government.

In relation to the railway, the government has put in place a mechanism for a private sector consortium. Certainly, we are looking at all possible opportunities to develop the railway. We are also hopeful that the federal government may see the merit of putting in place the last remaining link in rail development in Australia. We are looking at refinement of the design to ensure that the most efficient rail system can be put in place unlike the inoperable systems interstate which chew up billions of dollars per annum, not to mention the revenue lost through capital injections of some $500m per annum. This government is about doing things and about doing them properly.

The Leader of the Opposition had the audacity to mention the Victoria Highway. Let me remind him that this government has been undertaking a road program over the last 8 years. I will remind him that the Victoria Highway is the responsibility of the federal government under the national highways program. This government has helped to make that a reality by refining the design to make it more economic and more attractive. Peter Duncan was good enough to visit the Victoria Highway to see it for himself. It would be a good thing if the Leader of the Opposition went out there himself.

The staff of the Department of Transport and Works are entrepreneurs who are getting on with doing things better for less. I have great faith in the future of the Northern Territory and that is based on the reality of the strength of our economy, the resolve of the government and the character of my fellow Territorians. Unlike members opposite, we have much to look forward to.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, my colleagues have detailed a range of initiatives designed to ensure the development and economic well-being of the Northern Territory. The Department of Labour, Administrative Services and Local Government is playing a vital role by identifying what skills are required for jobs essential to that development. It then must ensure that appropriate training is available to provide those skills. I have given clear directions that this is to be done through close cooperation with the private sector. Links are being forged with the major employer and industry groups to ensure that the department provides a real service to the community, listens to people's ideas and responds to their needs.

We are already seeing the results of that policy. This year, 265 traineeships have been offered to young Territorians in such areas as tourism, retail marketing, engineering, the building trades and government. These opportunities were identified by the private sector in close consultation with my department. This is not training for training's sake; it is aimed at existing or predicted employment opportunities. These 265 young people will be the first in a positive program to lift the level of skills in the Territory work force.

There is no doubt that these opportunities will multiply as more people in the private sector become involved. People need only look at the positive results we have achieved with the Master Builders Association. Last year, the MBA expressed to me fears that its apprentices were competing for on-the-job training with those sponsored by the government. We have arranged for the MBA to control work experience for all building apprentices - a move that I believe is a first in Australia. I have approved an exchange scheme to help add to this growing confidence between employers and the public sector. I do not need to explain the advantages of public servants having first-hand knowledge of industry nor, for that matter, people in the private sector appreciating the skills available to them from my department and from the government. There have been some industrial problems associated with the introduction of the federal government's Australian Traineeship Scheme. These are being overcome and my department is working closely with Commonwealth officials to provide as many opportunities as possible for young Territorians.

I do not intend to concentrate only on the major towns. I have instructed officers from the Employment and Training Division and the Office of Local Government to assess each and every remote community for likely employment opportunities. They will not be there to tell people what they should be doing, but to listen to the ideas of the people so that positive steps can be taken to implement employment opportunities there.

I have been visiting Aboriginal communities during the past 3 weeks and I have had a very positive response to this approach. I have made it clear that I will not make impossible promises or provide buckets of money. Those days are gone. The people to whom we talked know they are gone. Most responded positively by putting forward ideas for revenue-generating enterprises. They appreciate that these will provide extra funds for further initiatives and subsequently create further employment opportunities.

I have made it very clear to the officers of my department that it is their role to act as advisers, to identify, through consultation, the skills required for these enterprises and to establish the means to provide necessary training. As a first step, modifications will be made to skills training which has been so successful with our group intake program. Many people are expressing a willingness to learn but are understandably reluctant to come into the major centres for training. I intend to take that training to the bush so that people have the opportunity to learn the skills which will provide the infrastructure for future self-development.

This is not some quasi-experiment; it is a positive response to requests made to me for help to have these communities up and running. No one should be in any doubt that I will continue to respond to these self-help initiatives. It is possible for those people to become more self-sufficient and I have recently approved the purchase of items of capital equipment in communities which have won revenue-generating contracts. My department has conducted a Territory-wide survey of capital needs and this has resulted in grants totalling more than $1m. I want to stress that these are not handouts. They are a contribution to communities which are using their initiative to create jobs and to create revenue.

I also have a positive response to the community government program. This unique style of local government gives people in remote areas enormous scope to take on a range of responsibilities and to shape their own future. I am pleased to report that 11 communities have joined the scheme, 4 others are in the final planning stages and 12 have expressed an interest. I have stressed to these communities that we will not rush them into a decision but I firmly believe that our community government program is far and away the best in Australia.

The Treasurer has pointed to the conflicting and confusing statistics on the Territory's economy. Much has been made by members opposite about those figures which suit their forecasts of doom. They have chosen conveniently to ignore others which give a far more optimistic outlook. Honourable members opposite cannot have it both ways. The figure being bandied around by the Leader of the Opposition, that 8000 jobs and the people who filled them have simply vanished during the past 12 months, is unsupportable and patently ridiculous. Australian Bureau of Statistics figures purport to show that unemployment rose from 3700 in June to 8700 in December. The reasons for this sudden increase were the changes in the sampling methods and the sampling base used by the bureau. This has been ignored by the Leader of the Opposition. ABS itself acknowledges that that is the reason why those figures made a dramatic jump in that period. It is quite obvious that, if the first sample is in Fannie Bay and the second is in Palmerston, the figures will show a major increase in unemployment, just as they would if a sample taken in Palmerston was compared with one taken in Port Keats. To use such figures as the basis for accurately describing the situation is crazy.

It is reasonable to expect that, if there were a sudden leap in unemployment, there would be a corresponding jump in the numbers of people applying for unemployment benefits. Yet we find the number who received unemployment benefits from the Department of Social Security actually fell from 10 187 in June 1987 to 9705 at the end of November. Where are all the people who are out of work? They are not collecting unemployment benefits. I do not support the view that vast numbers of people have all packed up and left and neither do the bureau's figures. This is another thing that the members on the opposite side of the House choose to ignore. During the period we are talking about, the same ABS figures that the opposition is selectively

quoting from showed a rise of 1600 in the civilian population aged 15 years and over. That is the potential work force. Similarly, as the Treasurer has explained, most of the non-labour indicators were either static or showed a slight upswing. I have given instructions to my department to monitor all employment indicators so that we can provide accurate figures to both the private sector and government. This will provide a sound base for improving our economic forecasting and predicting trends in major areas of our economy, future employment and training requirements.

We are currently facing significant industrial relations issues which will impact on the Territory's economy. The review of the national wage system to be conducted by the Australian Conciliation and Arbitration Commission in May is vital to our economic future. Wage cost increases to industry and government must be contained. A wage explosion will be disastrous for the Northern Territory. My department has commenced detailed discussion with all sectors of industry so the Territory can present the best possible case to safeguard its interests.

Unnecessary costs must be cut if industries are to become competitive inside and outside Australia. We can no longer afford the luxury of the 17½% leave loading. The member for Stuart made much of the fact that countries in other parts of the world are paying 100% or 130% of weekly earnings as a leave loading. He did not go on to say that workers in most of those places have 1 or 2 weeks of paid annual leave. Here in the Northern Territory, we have 6 weeks of fully paid holidays with a 17½% loading. If the opposition wants to quote figures, it should give all the facts. We have taken the matter of the 17½% leave loading to the commission and it is not an attempt to pick a fight with the unions. The unions involved accepted the government's position during negotiations in 1987 and the hearing will commence on 8 March. Threats of rolling strikes have already been made and I would suspect that there is concern on the part of unions that they may lose this action. Certainly, the business community is getting behind the government. Action is under way on the unions' 3% occupational superannuation claim. I understand this matter is close to resolution in the private sector. My department, in conjunction with Treasury, is finalising the government stance and, together with the Treasurer, I will be taking this matter to Cabinet shortly.

Mr Deputy Speaker, the Work Health Authority comes in for considerable abuse from members opposite. But the authority will continue its pioneering work in the vital area of occupational health and safety. Since my statement late last year, the authority has continued to reduce the cost to industry of illness and injury at work. This is clearly apparent in the rates of workers' compensation insurance. This is yet another positive contribution my department is making to Territory development.

The Administration Branch of the Department of Labour, Administrative Services and Local Government is continually looking at ways to provide more effective and more economic methods of providing services to the public. While the review last year of the A and E levels in our public service established the appropriateness of classifications in that structure, my department is continually examining methods to improve job classification. The general orders covering personnel administration in government employment are to be streamlined. I will be taking to Cabinet a proposal to upgrade the current INTERPERS personnel management system and integrate it with a computer-based payroll system. This will break the unwieldy link with Canberra and provide better information to public service managers.

I intend to revitalise the Public Service Act to reflect modern management principles, improve mobility across government employment, streamline disciplinary procedures and overcome other obvious problems. We might be in the technological age but our public service has yet to achieve anything like the fabled paperless office. The movement of correspondence is an extremely costly business. I intend to put before Cabinet a proposal for a more efficient document-exchanging system which will achieve significant cost reductions.

All these factors are contributing to the Territory's development. I have no intention of wasting this Assembly's time with what could have been or should have been or in squabbling about conflicting statistics. We all know those statistics laugh at one another. We are working to ensure that, where things can be improved, they will be. We are prepared to meet with anybody, anywhere who has something constructive to contribute towards achieving this aim. It is obvious that I will not have to meet with the opposition. I challenge those people, both inside and outside this Assembly, who claim we are not doing the job to come forward and tell us how we could be doing it better.

Mr DALE (Health and Community Services): Mr Speaker, it is part of Australia's colonial history that services such as those provided by the Northern Territory Department of Health and Community Services, for the most part, have been provided by the government of the day. But, in those parts of Australia such as the Territory, where a pioneering spirit can still thrive, the mendicant mentality does not exert such a strong grip over community attitudes. This government, as part of its economic policy, supports private entrepreneurial initiatives in the Northern Territory's health and welfare industries.

Among this government's achievements is the establishment of a private hospital in Darwin. Public response so far to this high-quality private health care service augurs well for the establishment of similar facilities in other parts of the Northern Territory. High-quality medical care for Northern Territorians has been expanded by attracting consultant specialists who can develop the skills of others and support for community self-help programs such as the St John Ambulance service, the Salvation Army, Red Cross and others in remote Aboriginal communities.

Consideration of this Territory government's economic successes should not be restricted to activities in Alice Springs and Darwin. With more than 3600 employees, the department is a strong force in driving the Territory's commercial activity. In smaller centres like Alice Springs or Tennant Creek, departmental employees comprise a significant part of the local work force. The department's annual salary budget of $115m goes straight into the Northern Territory economy, helping to create employment in several local industries. The department puts significant amounts of money into local commercial activities in regional centres through its policy of regionalising its operations. Although it is a simple enough policy, it has positive effects at the local level. One example is the creation of more employment opportunities for local people. The department maintains 5 hospitals, administrative teams in major regional centres and a large number of health clinics in rural areas. A large number of training programs, community development programs, grants-in-aid and the Aboriginal Health Worker Program, provide economic stimulus to remote areas. These initiatives raise community expectations and demand for goods and services and lead to better circulation of the community dollar.

The main emphasis of the department's purchasing and employment policy is to support local business where possible. This also encourages development of local enterprise. One recent example has been the government's encouragement to a group of Darwin people who have invented, designed and manufactured a modular wheelchair. After winning a Territory Enterprise Award last year, the group has been approached by interstate and international companies to market its product in lucrative, overseas markets. This is a good example of local expertise being stimulated to benefit the Northern Territory economy.

In the current economic climate, it is imperative that revenue from the Commonwealth be maximised so that current levels of employment and services can be maintained. In this context, senior finance officers from the department have been investigating our dealings with Medicare to ensure that we are billing for all funding to which we are entitled. The department has also begun reviewing the relationship between funding for the services it provides and the Commonwealth Grants Commission so that it can maximise this revenue source.

The positive impact of my department's activities in support of sport and recreation has been developing in recent years, in line with this government's economic planning. Funds distributed through the department's grants-in-aid program stimulate local industry by generating larger demands for goods and services.

Individual projects contribute directly to the Northern Territory's tourism industry. This year's Honda Central Australian Masters Games, for instance, will add 2 weeks to the end of the Alice Springs tourist season and will also be responsible for bringing an extra $1m to Alice Springs businesses through tourist visits in that period. Government support will help to make staging the national BMX titles a reality in Alice Springs this Easter. This event has already attracted more than 800 competitors, along with accompanying relatives and officials, who will add to Central Australia's tourist boom. If the total number of entries, as expected, tops the 1000 mark it will be ...

Mr BELL: A point of order, Mr Speaker! I am sure that the BMX event that the Minister for Health and Community Services is referring to in the speech that he is reading word-for-word is of vital importance to a large number of people in the Northern Territory but I doubt whether it has one ounce of relevance to anything in the 14 pages of the Chief Minister's statement.

The Chief Minister might like to get up and speak to the point of order and tell us how these comments of his mate, the Minister for Health and Community Services, relate to his statement on the Northern Territory development strategy. I have been sitting here for the best part of 3 hours and all I have heard is government ministers delivering written speeches that have absolutely no relevance to the statement in hand. I believe that it is contrary to the spirit of free debate in the Legislative Assembly as well as being contrary to standing orders.

Mr SPEAKER: The honourable minister is quite within his rights to debate the economic implications of his department's involvement in indirectly contributing to tourist numbers in central Australia or anywhere in the Territory. There is no point of order.

Mr DALE: Mr Speaker, I said earlier in these sittings that it is incredible and rather horrifying to me that the Leader of the Opposition has seen fit to downgrade the health and community services portfolio in the opposition's priorities by transferring it from the member for Arnhem to the member for MacDonnell who is simply not interested.

Government support will make staging the national BMX titles a reality in Alice Springs this Easter. This event has already attracted more than 800 competitors, along with accompanying relatives and officials, who will add to central Australia's tourist boom. If the total number of entries tops the expected 1000 mark, it will be one of the largest sporting events ever staged in Alice Springs, second only to the Masters Games. Many athletes travel to the Northern Territory each year. Their stays vary but most take the opportunity to discover a little more of Australia's outback, including central Australia. Each dollar that they spend on food, accommodation, transport or other goods adds to the pool of money circulating in our economy.

The government's initiatives in the development of international-standard sporting facilities and venues throughout the Territory can be seen as entrepreneurial ventures which improve the Territory's chances of hosting major sporting events. There is also the immediate stimulus such projects bring to our construction industry. In the meantime, Territory sportsmen and women can enjoy the benefits of competing in top-class facilities and the increased opportunities to compete against athletes who are rated nationally and internationally. As time goes by, I expect that more and more major sporting events will be held in the Northern Territory as international organisations become aware of the excellent facilities that we have here.

Last year, the Australian Women's Hockey Association brought more than 250 players and visitors to the Territory. A similar number will come, including several teams from South-east Asia, when the Bicentennial Regional Hockey Carnival is held here later this year. Australia and the Netherlands will also stage a test match in Darwin this year. National championships to be held in the Northern Territory this year include polocrosse, several shooting disciplines and Claxton Shield baseball matches. Each of these events will attract hundreds of visitors. A lawn bowls carnival in the dry season will bring several hundred players to the Top End for a month and we are looking at plans for an international car rally between Yulara and Darwin in 1989. The next Pan Pacific Games for Disabled Athletes and the first Northern Australian Highland Games will also be staged in Darwin this year. Both events will draw several hundred competitors from around Australia and overseas.

Correctional Services in my department has not ignored opportunities to contribute to the Territory's development potential either. Rural work venues have been established to rehabilitate run-down pastoral properties which will eventually come back on the open market and help renew interest in our agricultural industries.

Much of the growing tourist boom and the benefits that it brings to the Territory economy can be attributed to the planning and initiatives of this government, supported by strong marketing of the Northern Territory as a desirable destination. This government's development of world-standard sporting venues has been part of the overall package in line with our long-term economic development strategy.

My department has an important primary role in the provision of health and community service for Territorians. Aggressive, positive economic strategies will attract people to the Northern Territory but services such as my department provides will encourage them to settle and remain part of our growing community. We have the best child-care services available anywhere and we have been able to attract many consultant specialists to the Royal Darwin Hospital because of its excellent reputation. As a result, Territorians have access to a range of high-quality, specialised medical

expertise which is extraordinary, considering our population, in comparison with other states' health services. Construction and establishment of respite and residential care facilities for the disabled will begin this year. These are signs of a growing community which has the ability to look after its own. Such services will provide a reliable basis as the Territory continues to develop as a more attractive place in which to settle and invest.

People might not believe that a service-oriented department such as Health and Community Services has a role to play in a government's economic strategy but, in the Territory, its role is quite significant. We will spend more than $196m in the current financial year on programs designed to improve and maintain our community's health and well-being. We have heard much in this debate about economic achievements but, in this forum, we must also consider all the elements necessary to our community's well-being. The arts, other cultural activities, recreation and sport must be nourished. Our community would be dull and boring without access to such activities. It is this government's business to get people here and then it is my job to keep them fit, well and happy so they can contribute to the Territory's development. My department is fulfilling its part in the Territory's development through this role. From this solid base, we will be able to realise the Territory's full potential.

Mr BELL (MacDonnell): That really was extraordinary, Mr Speaker.

Mr Dale: Did it teach you anything about your portfolio responsibilities.

Mr BELL: Absolutely nothing, Mr Speaker. Let me be quite frank about this debate. When I first received the Chief Minister's statement, I cast an eye over it. I listened to him deliver it and I listened to subsequent contributions from members on the government benches which have consisted entirely of set-piece speeches which have been written for them and about which they have little idea themselves. I would be interested to know what sort of instructions they provide to their staff before such speeches are written. I suppose these set-piece speeches do have their lighter side. The Treasurer referred to economic strategies employed by the Whitlam government. I should actually make a note for his speechwriter that, when he includes words like 'Whitlamesque' in the Treasurer's speeches, he should do what is occasionally done for newsreaders and, instead of writing the final part of the word as 'esque', he perhaps should spell it 'esk'. Then, perhaps, the Treasurer will not deliver such immortal gems of mispronunciation.

Mr Speaker, whilst ministers are more than welcome to speak from copious notes in this Assembly, they have a responsibility to ensure that they understand what they are saying. At least 3 speeches which have been delivered by ministers today have been of an ill-considered type which ministers themselves do not understand, have not read before coming in here and which do nothing more than clog up the Hansard. The issue is far too important for that. To whatever extent possible, the government has a responsibility to provide a development strategy.

I want to heartily endorse the comments by the Leader of the Opposition in respect of this statement. It is nothing more than a furphy and a desperate attempt to paper over the shortcomings, in terms of giving an economic direction to the Northern Territory, for which this government is responsible. Often, what is left out of these speeches is just as important as what is put into them. Nowhere did we hear any reference to the casinos disaster. When I first came into this Assembly, the Minister for Industries and Development was saying what a wonderful generator of revenue the casinos would be and,

presumably, he understands how well the casinos have been featherbedded by government and have contributed absolutely nothing in comparison with what he suggested they might be capable of back in 1981 and 1982. The fact is that, for this government, the chickens have come home to roost. In the words of the Leader of the Opposition, the business community is thoroughly disenchanted with this directionless government. In terms of 'development strategy', to use the phrase of the Chief Minister, let me just place my thoughts on record.

There were attempts by government speakers to suggest that the Australian Labor Party in the Northern Territory is somehow only the creature of social welfare recipients and trade union leaders. Let me remind the Treasurer - who particularly pushed that line - that, during the November sittings, we discussed some of his business dealings in the Finniss River area and we noted that senior members of the business community in Darwin were impressed with Labor governments around the country and were impressed with the Labor opposition and its capacity to develop a vision of the Northern Territory that included the business community and entrepreneurial initiative within a broad context and a broader understanding of the direction and the needs of the Territory community. Such qualities have been remarkably absent from the ravings that we have heard in the context of this statement.

Nowhere, in what was supposed to be a major economic statement, did we hear references beyond the urban centres of the Territory. We heard references to the mining industry, the tourist industry, the pastoral industry, all of which are vitally important to my electorate but, in terms of the labour market, we had no sign of a broad understanding of the Territory community, where it is headed and what is possible. No mention was made of the large amounts of government money that are being paid out in interest rates for projects such as the casinos, the Sheratons and Yulara.

In relation to Yulara, there is one little issue that I would like to raise. You will recall, Mr Speaker, that the Northern Territory government spent considerable money, and continues to spend considerable money, purchasing government facilities at Yulara, an expenditure which can also be interpreted as interest payments. In fact, the accommodation has been purchased and much of it is owned by the Northern Territory Housing Commission. One could be excused for expecting that, if accommodation at Yulara were owned by the Northern Territory Housing Commission, Territorians living at Yulara would be able to use that accommodation without being evicted and one would expect that the same conditions of Housing Commission tenancy would apply to people living and working at Yulara as apply to Housing Commission tenants anywhere else in the Northern Territory. Considering that there is such a considerable amount of government investment in Yulara, I am very surprised to find that that is not the case.

I think it is apposite that I draw the attention of honourable members to the difficulties experienced by Mr Ingo Appelt, his pregnant wife and their 2-year-old son. They received the following letter from the Chairman of the Yulara Corporation. Let me rephrase that. The letter was addressed to Mr Appelt's employer, Mr Greg Mitchell of Sunworth Taxis, and it reads as follows:

> Dear Mr Mitchell,
>
> I acknowledge receipt of your telegram wherein you asked me to intervene in the operation of the Yulara housing policy on behalf of Mr and Mrs I. Appelt. I have examined the circumstances influencing

Mr Appelt's eligibility for accommodation. As you have noted in your telegram, Sunworth Taxi Services Pty Ltd do not qualify for an allocation of accommodation. Mr Appelt was made aware that, if he accepted a position with Sunworth Taxi Services Pty Ltd, then he would be obliged to vacate the accommodation he currently occupies. The Yulara housing policy clearly establishes that accommodation will only be provided for employees of approved operators. No exception to this fundamental policy will be permitted. So as to avoid any unpleasantness, please arrange for the unit to be vacated by no later than 26 February 1988.

Yours faithfully,

Mr Harry G Ewing OBE,
Chairman.

There are a couple of remarkable aspects to that letter. One is the reference to 'employees of approved operators'. I am sure that the devoted proponents of free enterprise and the entrepreneurial spirit opposite will not accept that people should be drummed out of publicly-owned accommodation because they are not 'employees of approved operators'. In the context of this statement concerning a development strategy, it seems to me to be an extraordinary attempt to restrict free trade within the Yulara community which is held to be such an important part of the tourist industry in the Northern Territory. It is quite amazing for me to find myself gunning the Northern Territory government from the point of view of the free market. It seems that this dreaded socialist, whose interest, according to the Treasurer, is only in the social welfare sector and with the trade unions, is telling the government that it appears to condone that sort of restriction on enterprise. In the context of this statement, I want some explanation from the Chief Minister or the minister responsible. Of course, the minister had his attention drawn to this outrageous circumstance because, as Minister for Conservation, he has responsibility for the Yulara Corporation Pty Ltd and as minister ...

Mr HATTON: A point of order, Mr Speaker! Enough is enough. This is a debate about noting a ministerial statement on an economic development strategy for the Northern Territory. It is not a debate about the particular housing circumstances of a constituent of the member for MacDonnell.

Mr BELL: Mr Speaker, my comments in this regard are germane to the minister's statement. In the course of this debate, we have heard government speakers referring to entrepreneurial exercises, free market forces and so on. This is a broad-ranging debate about economic decisions in the Northern Territory. As far as I am concerned, Mr Speaker, if the Chief Minister is so disinterested in the activities of Sunworth Taxi Services Pty Ltd, which presumably is operating within ...

Mr HATTON: A point of order, Mr Speaker!

Mr BELL: He cannot call a point of order whilst I am speaking to a point of order. Now sit down and shut up until I have finished.

Mr SPEAKER: Order! The member for MacDonnell and the Chief Minister will resume their chairs. I will not have the member for MacDonnell or, indeed, any other member instructing the Speaker how to conduct the business of this House. I would ask that the honourable member quickly conclude his remarks in relation to the Chief Minister's point of order.

Mr BELL: My point, Mr Speaker, is precisely this. The interests of Sunworth Taxi Services Pty Ltd are integral to the future direction of Yulara and, presumably, the future direction of Yulara is an important part of the tourist strategy in the Northern Territory. The future for tourist visitation in the Northern Territory is, I trust, an important part of future development in the Northern Territory.

Mr SPEAKER: There is no point of order but I would ask the member to continue to relate his remarks to the question before the Chair.

Mr BELL: I will conclude my remarks on this issue simply by asking 2 simple questions of the Minister for Conservation. Firstly, will he act to ensure that Sunworth Taxis Pty Ltd are able to receive accommodation at Yulara? Secondly, will he ensure that tenants in publicly-owned accommodation at Yulara are able to enjoy tenancy on the same basis as public tenants anywhere else in the Northern Territory?

Mr Speaker, there are a variety of other points I wish to make in this debate. Probably the most important general point relates to the statistics that were chucked around. Even the Chief Minister was bucketed by his own minister, the Minister for Labour, Administrative Services and Local Government, about his use of figures. He may not have done that directly but he certainly agreed that the use of figures had been pretty much a nonsense in this particular debate. My point is that, for crucial and vitally important debates of this sort, the opposition wants to ensure that the Northern Territory makes the best use of its advantages to increase productivity, to increase jobs and to increase the participation of all Territorians in the economic processes of the Territory. In order to further that debate, instead of indulging in diatribes, it would be helpful if members using statistics would identify their source. For example, the Treasurer referred to a 30% increase in residential building. I believe those were his words.

Mr Coulter: You should have been here to pay attention.

Mr BELL: If I do not have at the tip of my tongue the phrase that he actually used, and let me assure him that I heard it, I will check it tomorrow and let him know. My point is that, when figures like that are tossed around, they need to be sourced. The 30% increase in residential accommodation that the Treasurer referred to certainly strikes me as interesting and I will in fact be pursuing that. Housing statistics have been of interest to me for some time. The member for Nhulunbuy is now the shadow spokesman for housing but I continue to take an interest in housing policy and housing statistics and I would be very interested in the source of that particular one.

Finally, I think the basis of this particular statement is a desperate attempt by the Chief Minister to appear to be doing something when not all that much is happening. That is a matter of serious concern, not only to people in the community but to all members in this Assembly.

Mr PALMER (Karama): Mr Speaker, I welcome the Chief Minister's statement and the subsequent statements by the other ministers in relation to their areas of responsibility. The Chief Minister indicated that, in cooperation with industry groups and the wider community, the Territory government would be working towards putting in place an economic development strategy to see the Territory through its next stage of development. In looking at what such a strategy should contain, I believe it is worth while reviewing where we have been and where we are now.

Prior to World War II, the Territory economy largely centred on the production of store cattle for fattening interstate, a few gougers and human relics of the gold rush days, a few pearlers of various origins and the very basic elements of a public service. Following the war and in the context of widespread fears that highlighted the Australian mentality relating to the dangers of the yellow peril invading our unpopulated north, Darwin began to grow. Federal policies led to the positioning of more and more public servants in Darwin to do nothing more than tend to the needs of other public servants. In context of the then held fears, the policy of populating the north was probably a valid one.

Mr Bell: Did you write this, Mick? Really?

Mr PALMER: I tried to, Neil.

Around the garrison of public servants, grew a population of merchants and artisans hawking their wares and services to the relatively well-to-do public service bourgeoisie. Aside from some development in the mining industry including, of course, the construction of the Gove mining and processing facilities and the township of Nhulunbuy, the modernisation of transport in the pastoral industry and the establishment of an embryonic tourist industry, not much else happened until self-government.

Following self-government, the new CLP government directed its efforts towards establishing the basic infrastructure required to underpin industrial and other economic growth. Self-government has seen a gradual move away from a private sector largely comprised of indicator industries supported by government spending to an economy which, for its general well-being, has become more and more dependent on the input from the export-oriented industries of mining and primary production, together with tourism. However, the growth in these generator industries has not yet been sufficient to quarantine the economy at large from its reliance on the maintenance of government spending levels. To provide that quarantining effect, the government must strive to promote continued and orderly growth in the generator industries. Such growth will only come about if business and industry is confident in the future of the Territory. In order to engender such confidence, it is essential that the Northern Territory government be seen to have a comprehensive and detailed strategy in relation to economic development. The strategy must embrace all levels of industry and must give special attention to attracting heavy and manufacturing industries. It must focus upon the value-added potential of our current exports and give impetus to expansion of effort in that direction.

The linchpin of any strategy will be the development of policies within each of the portfolio areas which address the aims of the strategy and encourage the public service to put its considerable weight of talent towards the achievement of those aims. A public service that is confident in the future of the Northern Territory and confident in the policies to which it works, will be critical in engendering investor confidence in the Northern Territory. Of course, all the strategies and detailed policies in the world will prove to be totally useless if we are not then prepared to sally forth into the world of corporate and private investors.

The recent stock market decline has led to what some commentators describe as an investor search for quality. However, quality stocks cannot exist unless there has first been a risk taken somewhere and entrepreneurial initiative has taken investment from the realm of high or medium risk into the quality or low-risk category. The Northern Territory must attract people who

are prepared to take risks, the corporate and industrial entrepreneurs, and our policies must address the issues of how government can influence and reduce the level of risk. There are a number of incentives that government can provide. The adoption of the high moral ground in relation to what are and what are not proper incentives for a government to provide will put the Northern Territory economy at an increasing disadvantage with competing economies. As I previously said, the government can provide any number of incentives. They can range from deferred payments on land through to low interest or deferred interest loans to guarantees and indemnities and, ultimately, direct injection of funds and equity participation.

We cannot and should not shy away from any level of incentive provided, of course, that the incentive reflects the value to the economy of the project to which it relates. We must become aggressive in the marketplace and we must take the Territory to the world. If that involves ministers of the Crown or public servants moving around the world and knocking on corporate doors and establishing offices or employing agents in the major commercial centres, so be it.

Unfortunately, a long-term strategy will not provide immediate relief to those involved in the indicator industries which, at the moment, are experiencing a cyclical downturn. Notwithstanding the long-term aim of promoting growth in the generators, the indicator industries do employ a substantial number of Territorians and provide shelter and sustenance to a substantial number of Territory families. Immediate relief will not be easy to provide and proposals to do so will invariably lead to some criticisms. Most of those criticisms will come from members of the opposition who revel in an opposition's ability to propound simple solutions to complex problems. One of the major factors militating against investment in the Northern Territory to date is the public denigration which the opposition heaps upon any entrepreneur who dares to venture into the very public world of investment in the Territory. The opposition and members on the crossbenches fail to understand that the long-term well-being of the small businessman involved in the service industries is totally dependent on the expansion and long-term growth of the export and generator industries.

The economic onanists of the opposition have nothing to offer. Their political philosophies actively discriminate against the working man. Their quaint views on mining development and its impact on the wider ecology are unmatched in the western world. Their universally destructive attitude towards the nuclear energy cycle and their xenophobic response to outside or foreign investors brand them for what they are - political opportunists and, with the exception of the members for Arafura and Arnhem, mere outsiders imposing their views on Territorians with no regard for the Territory or its people. They are mere practitioners in the art of politics, albeit humble and ineffectual, mere puppets of the political production line that gave birth to them, Pinocchios of politics whose prehensile noses grasp at the faintest whiff of bad news, poisoning themselves with the psychosomatic toxins of political obscurity, where they will stay.

Mr Speaker, I welcome the Chief Minister's statement. I welcome the contributions from ministers and other members of the government. I look forward to cooperating with them in further developing the economic strategies which have been outlined today, and I commend the statement to the honourable members.

Mr HATTON (Chief Minister): Mr Speaker, I would like to thank honourable members - at least those on this side of the House - for their contribution to

this debate. I particularly thank the member for Karama who, in his own inimitable style, succeeded in summing up and drawing together many of the threads of the history and development of the Northern Territory and the significance of the situation in which we now find ourselves. His performance was a welcome contrast to those from members opposite, particularly the Leader of the Opposition.

Quite frankly, I was disappointed by the performance of the Leader of the Opposition and his colleagues because, since about 15 February, they have been saying that the most significant thing we needed to talk about in this House was the state of the economy. On Tuesday of this week, prior to the commencement of these sittings, I said that I would provide an opportunity for the opposition to do that by presenting a statement in the Assembly where the matter could be debated fully. I am pleased to say that members on the crossbenches took the opportunity to participate but, in spite of all the fanfare and headline-grabbing he has indulged in, the Leader of the Opposition made a contribution that was negative, jumbled, confused and inept.

I have taken some time to try to find something of substance in the Leader of the Opposition's contribution this morning. As I understand it, he did not like the fact that I outlined a series of economic and taxation realities that have occurred in Australia in the last 3 or 4 years. He thought it highly improper that I should mention the realities of the taxation burden that has been thrust on the entire Australian business community and, through them, the entire Australian community. He certainly did not like the fact that I outlined what was confirmed by the Treasurer: the dramatic real cuts in public-sector funds that have been made available to the Northern Territory in the last 2 years, which amount to 15% in real terms. These cuts inevitably had a painful impact on an economy in which, quite obviously, the public sector has played a dominant role. The cut of 15% has also hurt the community.

The Leader of the Opposition does not like to hear that. It does not fit in with his strategy and it does not match his fantasy that somehow the federal government is doing marvellous things for the Northern Territory whilst we, in return, are squandering money. The fact that our government happens to have one of the lowest levels of borrowing in the country, probably the lowest level of contingent liabilities in the country and certainly is the only government that has always had a balanced budget when every other government has been running deficits, is totally alien to his fantasy. We have maintained that record and it has hurt us. It has certainly not been good for the community when his friends have decided to take politically discriminatory action against the Northern Territory.

I would like to clarify another point in case the Leader of the Opposition is somehow under a misapprehension. I outlined some of the federal taxation atrocities that have been inflicted on the community and, amongst them, I mentioned the retrospectivity of the amended tax legislation. It is true that that was not done by the present federal government but by the previous Liberal National Party government. However, that fact does not make the action less atrocious. The objection is not that it was a move to stop bottom-of-the-harbour schemes; they should have been stopped. But, in doing that, the government of the day changed the laws retrospectively. What had been legal one day became ...

Mr Smith: Like the school council regulations. The pot calling the kettle black.

Mr HATTON: Mr Speaker, the Leader of the Opposition continues to demonstrate his ineptitude ...

Mr Smith: What about the school council regulations?

Mr HATTON: It so happens that the school council regulations were not applied retrospectively.

Mr Ede: They were.

Mr Smith: That is interesting. Tell your minister that.

Mr HATTON: My apologies, Mr Speaker, they were backdated.

Mr Smith: They were backdated.

Mr Hanrahan: They were backdated to 1 February, for a period of 6 days.

Mr HATTON: My apologies, Mr Speaker. Those regulations applied to a non-financial matter and they were backdated for about a week, not the 2 years which applied in the amending legislation passed by the federal Liberal National Party government. That government then charged a penalty tax on what had been a legal action until it subsequently changed the law. In doing that, the government took from the hands of business funds that could have been used for capital investment and job-creation in this nation, just as the fringe benefits tax, the entertainment tax and a multitude of other taxes that this Labor government has imposed on the business community are sucking funds from the system which could otherwise be used for capital development and job-creation. That was the point I was making, Mr Speaker, but I am sure the economic ignoramus across the Chamber would have no concept of how the moneys flow. That seems to have been demonstrated by his use of statistics.

During his speech in the debate on the Address-in-Reply early last year and again earlier this month, the Leader of the Opposition said that he would not talk down the economy, that he would not be negative in his attitude. And what does he do, Mr Speaker? He tries to drag out unreliable statistics on employment. He misquotes television service numbers and a range of other issues. He drags in the Australian Bureau of Statistics - as did his colleagues - without any reference to the exceptionally small sample size. The Australian Bureau of Statistics itself admits that such a sample size provides a wide capacity for error.

The government has said, and I have said, that there has been a downturn in employment. We have sought to identify where it is occurring. I am not prepared to identify the absolute numbers but I do think, as I have said, that it is a significant and important problem that needs to be addressed. The Leader of the Opposition has been in this Chamber longer than I have and, in the 4 years or so that I have been in this House, he has been the opposition's economic spokesman or shadow treasurer. He talks about things like the proposed so-called Anderson development, as did the former Treasurer, the member for Barkly. The Leader of the Opposition spoke of concern about having to pay something off over 30 years.

Both of those gentlemen should know that virtually all capital works that are carried out by governments, including the Northern Territory government, are funded by borrowed moneys. Those are obtained either through semi-government loans or capital grants and loans, all of which have to be repaid. In all circumstances, those loans are repaid on an interest-only

basis and, when the period of the loans expires, they are simply rolled over into a new loan period. All governments do that, Mr Speaker. It may not be the right way to go in the long term, but that is a separate argument. We could cut down further on our capital works program and then use some of that money to reduce our capital debt, but it would mean less money would be going out from government to achieve results and it would still involve many years of repayment. The difference, in the case of the Anderson proposal, is that it does have an end point and the capital is paid off at, I might say, a lower interest rate than semi-government borrowing. However, that is a matter for another time.

The Leader of the Opposition has shown his complete ignorance of economic and budgetary matters. He said that we could provide a short-term stimulus to the economy by putting money into developing the Victoria Highway. It is true that the Victoria Highway is a national disgrace. It also happens to be a national highway and, therefore, the financial responsibility of the federal government. The Minister for Transport and Works has been pressing the cause of the Victoria Highway for some considerable time and, I might say, is finally getting some results. It is not a financial responsibility of this Northern Territory government but the Opposition Leader does not even know that. He made the same mistake last year in relation to roads in Kakadu National Park.

I might also ask him where, in a very tight budget, additional funds will be found to pump into the economy to stimulate it? We have reduced our budget by 15% in the last 2 years and we are fighting to keep our budget balanced. The Opposition Leader presumably wants us to go into deficit budgeting to fund a road that is the responsibility of the federal government. That shows his ineptitude in economic debate. We have a problem in this Territory with people like the Opposition Leader who, because of their position, have some public credibility and use radio, television and the newspapers to badmouth the economy and investors and to destroy investment confidence not only here but interstate. He holds ill-informed discussions with business communities around Australia, making them wonder what the blazes is going on in the Northern Territory. Then he comes back, pulls out the worst possible statistics he can find and throws them around the community in order to destroy confidence a bit further. I do not know why he does that, Mr Speaker. I thought he was a Territorian. His contribution should be balanced but it certainly is not.

Finally, in this particular disgraceful performance by the opposition, we come to the crunch. The Leader of the Opposition finds something good in what I have said: the proposal to revise the economic development strategy and work it through. But, even that is not good enough for the opposition. The opposition recognised that we were trying to work on this strategy and, to his credit, the Opposition Leader suggested on 15 February that the opposition should move in a similar direction. 'There is no meat in it', his colleagues said. 'What are you going to actually do?' At least the Opposition Leader recognised the illogicality of expecting the strategy to be finalised before work had even started on it. But his colleagues had shown the extent of their powers of logic. In spite of them, he could not leave the subject alone. He said that I had pinched this great idea of an economic development strategy from the Labor Party and that I almost had it right except for leaving some important people out of the process.

For the information of this House, at the beginning of February, 2 weeks before the opposition's famous caucus in Gove, I presented the proposal to the Northern Territory Development Council. I am certain that, with the

assistance of some of the participants in that event, the Opposition Leader obtained a copy of the paper which set out the proposal because he came back with what he called a 'Strategic Economic Planning Council'. That Strategic Economic Planning Council, surprisingly, had exactly the same membership as the Northern Territory Development Council, plus a couple of social workers. Its aims and objectives were exactly those set out in the document that I had submitted 2 weeks earlier to the Northern Territory Development Council. Mr Speaker, I do not accept any accusation that I stole that idea from him.

I will conclude by saying that it is a fact that the Northern Territory is going through a significant and fundamental structural adjustment. That adjustment has been made harder by its rapidity. The cutbacks in public-sector spending have caused hurt in the community. That is reflected particularly in the building and construction industry and, because of the nature of our economy, it has flowed on to a large number of our builders, suppliers and basic manufacturing industries associated with building and construction. It is a significant problem that needs to be addressed. That is why we have a flattening-out in the economy despite the strong performance in the generator industries as a result of initiatives which are pushing those ahead. We have a gap between the phasing-out of some types of government expenditure and the activity which will come about as a result of growth in the generator industries. That is why we need to address what can be done in this intervening period to provide the necessary fiscal stimulation to hold in place the infrastructure we now have, rather than run the risk of seeing what we have achieved with such difficulty over the years wither away while we are waiting for the generator industries to bring about a multiplier effect in our economy. Those are the issues I have sought to address in my statement.

Firstly, we must work to build our economy, knowing that we simply will not have the level of public funds available in the future that we have had in past. Simultaneously, we must address the need for appropriate fiscal stimulation now, particularly where it is needed most. It is obvious from the trends in the statistics that the area that is most in need of immediate stimulation is the Darwin economy. It is suffering most from the cutbacks. We need to consider what sort of stimulation should be directed to support and assist the Darwin economy. It should be geared to provide infrastructure to take advantage of the growth that will occur.

If the community believes that this Northern Territory will not achieve growth in the future, then we should take our lumps now and come back to some level pattern. I do not happen to be of that view. I believe that there is a strong future for the Territory and that we can build up real industries for the future. I believe it is important, therefore, to take advantage of some fiscal stimulation to hold in place what we have so that it is available to take advantage of opportunities in the future.

Motion agreed to; statement noted.

STATEMENT
Time Expiry of Members' Speeches

Mr SPEAKER: Honourable members, since I became Speaker, I have always allowed a period of approximately 15 to 20 seconds for members to conclude their speeches if, at the expiry of their allocated time, it is obvious that they are winding up. The member for Stuart has been a consistent recipient of this bonus. I have always considered this approach to be both reasonable and fair. If, however, members wish me to act otherwise - in particular the member for Stuart who described the continuation of this practice as

outrageous - I will in future interrupt members' speeches immediately the red light on the time clock clicks off.

MOTION
Disallowance of School Council Regulations

Mr EDE (Stuart): Mr Speaker, I move that the amendments to the Education (School Councils) Regulations, contained in Regulations No 4 of 1988 and made under the Education Act, be disallowed.

The promulgation of these regulations is a deceitful little exercise. It has all the depth and integrity of a 3-card trick and the minister who devised it has bungled it badly. He has treated good people with contempt, people who devote time and energy to the education of our children, and now they despise him for it. The history of this con begins on 5 February when the letter I am about to quote from was signed by the Minister for Education. It was, we must assume, posted on that date. It is addressed to school principals and connoisseurs of public relations will recognise the tone straight away. I quote:

> Dear Principal
>
> The government recognises and greatly appreciates the valuable contribution being made to education by parents, teachers and others within the school communities to the work of the school council.

It continues:

> Believing that the most appropriate people to make administrative decisions about schools are those most closely affected by those decisions, the government's policy is to extend school councils' control over their own affairs.

Now, who on earth could possibly object to that? It is sensible, democratic and unselfish. In the third-last paragraph, one reads:

> To achieve this and to ensure school councils have access to the necessary expertise to take up their new responsibilities, the Education (School Councils) Regulations are to be amended.

The minister then goes on to give his version of what the amendments are all about. This letter was mailed about 5 February. Meanwhile, back in the Chan Building, things were moving fast. A meeting of the Executive Council had to be scheduled and the Administrator had to be advised. By February 9, the Administrator's signature was on the regulations and they were legally enforceable. Just 4 days after the minister posted the letter to the principals, the changes were law. But that was not fast enough for the minister. He backdated the regulations to 1 February. Effectively, the regulations became law 5 days before he even wrote this letter. This letter was the only warning the school councils were given. There was no consultation, no discussion, not one solitary attempt to find out what parents, teachers or the school councils thought about it. This is how the minister implements the government's policy 'to extend school councils' control over their own affairs', as he says in the letter.

The arrival of the letter created instant and universal confusion in schools around the Territory. Some had already held their annual general meetings. Some had less than a day to understand and implement the changes.

Hardly anybody could understand what they were all about and nobody could understand the rush. We know what a farce resulted in the case of some councils which had already been elected. One minister tried to force the Gray School Council to abide by the regulations when the regulations had not even been passed!

I have copies of some letters that were sent in by other schools on this particular subject. The member for Jingili would be interested to know what the school council of Jingili Primary School thought about it. Its letter says: 'The haste with which these regulations have been introduced so as take effect before the annual general meetings is an indication of the contempt in which parental opinion is held'. It is signed by the chairman of the primary school council. It further says: 'This council unanimously resolved that a moratorium be sought on the implementation of these regulations so that the long-term implications can be publicly discussed'. That is quite reasonable.

A longer letter came from the Leanyer School Council after a unanimous decision of its members. It says: 'The government's policy is to extend school council control over their own affairs. However, the main proposal contained in the letter seemed to blatantly contravene this statement'. It goes on to say that the council 'has never and does not now perceive any danger of departmental or school personnel stacking the school council'. It concludes that 'the amendments seem to be hastily and ill-conceived', they seem to be 'initiating and fostering conflict between council members' and they 'offer no mechanisms for resolving numbers problems if both teachers' and parents' sections of the school community elect members who must be accommodated within the one-third provision and, together, these elected members are in excess of this number'. The final paragraph says: 'Rather than extending the principle of involving school councils in decision-making, the government's action in regard to these amendments appears to be an extension of autocracy'. Those are harsh words from the Leanyer School Council.

At Nakara, there was a meeting of the principals and school council chairpersons from Nakara, Tiwi, Malak, Leanyer, Jingili and Nightcliff. At that meeting, just before the chairman walked out, they asked the departmental representatives to convey the following message to the departmental secretary and thence to the Minister for Education: 'That these chairpersons deplore the fact that changes have been made to the Education (School Councils) Regulations without consultation with school councils; that they deplore the haste with which the changes have been made; and that they deplore the department's ineptitude in providing advice to councils on these changes'. An additional meeting was called to discuss the issue further.

I am told also that the rural schools from Berry Springs to Palmerston had a similar meeting on the same day and instructed their departmental representatives to pass the same message on to the secretary and to the minister. That was on 22 February.

What did the minister gain through the creation of so much confusion? According to the minister, the first purpose of the regulations was to 'ensure council membership covered a wide range of community interests'. It already did. At the annual general meeting, the community of parents had the power to pick whomever they liked from the parental group. They had the right to decide but that was not good enough for the minister. He had to impose his own ideas on them without even asking whether they agreed with them. Obviously, most of them do not.

His next purpose was to establish a direct liaison with the various levels of government. The councils already had that. There was nothing to stop members of parliament or of local governments, whose children were at those schools, from attending and standing as parental representatives. If they were unable to obtain enough votes, there was nothing to stop the school council from coopting them. The member for Nhulunbuy has been coopted as a parent representative for years. The minister also saw the regulation as 'providing councils with an avenue to departmental advice and assistance'. They had that already too. Many school councils, when they feel they have the need for advice from somebody from the department, simply ring up and say that they have a particular issue to discuss and would like to have a departmental representative present. There was no reason for that either. What did the new regulations achieve? The short answer is that nobody knows.

Mr Spring, the Secretary of the Education Department, that very famous person who is sometimes referred to as the senior minister for education - the member for Flynn is the junior minister - wrote to school councils around the Northern Territory stating that he wished to clarify certain aspects of the recent amendments to the Education (School Council) Regulations. In the letter, he said:

> I am taking the opportunity of advising all school councils that: (1) the reference to a person being employed in any capacity in any government school is a reference to a person who is employed by the Department of Education in full-time and continuous employment in that capacity, and is not a reference to a person who is in part-time or casual employment in that capacity.

Mr Speaker, that advice is wrong at law. The minister has lawyers available to him. He repeated his secretary's allegation again this morning in question time and, at the very least, he ought to apologise to this parliament for having misled it. We will decide later whether it was a deliberate act of misleading which will require his resignation.

Mr Hanrahan: Oh dear!

Mr EDE: Mr Speaker, I will take that interjection on board because it would appear to indicate an appalling lack of belief on the part of the minister in the ministerial tradition.

Mr Hanrahan interjecting.

Mr EDE: You have legal advice? Mr Speaker, if he has legal advice, I hope that he will quote from it and then table it, because I have legal advice which is quite clear. It is advice on the statement relating to people employed under the Teaching Service Act and people employed under the Public Service Act. The fact is that there is no differentiation between part-time and full-time employees. It does not matter which they are; they are employees and therefore come within the ambit of this particular regulation.

I cannot understand why the minister did not know this because I am told that, at the meeting of principals and council chairpersons from rural schools that was held on Friday 19 February, those present were told by a departmental representative that there had already been a Department of Law opinion on that interpretation. That opinion stated that the interpretation of the Secretary of the Department of Education did not stand up in law. Mr Speaker, why didn't the minister know that? Is it a fact that he does not know what the secretary is on about? Isn't he told when his own departmental

representatives have had to go to a meeting and advise it that the secretary is wrong in law? Isn't that advice provided to the minister? If it was provided to the minister, he misled the House deliberately this morning. Either he must apologise for the fact that he is wrong or he has to resign because he misled this House deliberately this morning. We will come back to that later too.

Through the smoke and the confusion, the school councils saw that the regulations amounted to an act of government discrimination and denial. The regulations did not extend their control; they reduced it. They did not assist them; they hampered them. They did not protect the councils from government interference; they made them more vulnerable to it. Teachers, whose acknowledged commitment to the education system is unparalleled, found their ability to contribute restricted. But the minister did not want to restrict teachers and leave it at that; he restricted everyone who works for his own department. That applied to people far away from the core of the education system. He restricted school janitors and gardeners, he restricted local councillors and he restricted members of parliament.

I would like to ask what possible threat to school councils is posed by gardeners and janitors, filing clerks and storemen. Why does the minister fear them? Is there some sinister conspiracy among janitors and gardeners to take over the school councils in order to introduce something like hygiene and horticulture to the curriculum?

Mr Coulter: No, it's other things like paranoia.

Mr EDE: What a load of rubbish! 'Paranoia' is the right word.

Mr Speaker, I will give you an example. I will not use names and I will not identify a school, but I am prepared later to tell the minister just where it is. There is a school in Alice Springs which, for the last couple of years, has coopted as its school council treasurer, a woman who has an excellent financial brain. She has been able to take the funds of that school council and, by very clever investment and management of the cash flow, do an enormous amount of good for that particular school. It just happens that she is also employed part-time in the tuckshop at the Sadadeen High School. Because of that, she is no longer eligible to be coopted to the council of the other school. What a ridiculous situation!

Mr Tuxworth: She might lead the revolution.

Mr EDE: Exactly, that is the fear! It is going to be a tuckshop-led revolution! Maybe her ability will show up the Treasurer, who does not know anything about finances, and that is why the government wants to crush her.

It is ridiculous, Mr Speaker. The whole thing is a parody. The threat the teachers supposedly pose is not to school councils but to the minister. That is why his real targets are the teachers and the public servants. He is frightened of the elected men and women who have the knowledge, the expertise and the power to add clout to a school council. The minister does not want that.

He wants even to restrict principals on school councils. Under these regulations, a principal must stand down after he has served his 3 terms. We all know that, under the regulations, the principal of a school is an ex-officio member of the school council. We all know that, after 3 terms, the general rule has been that people stepped down to allow the influx of new

blood. But the old regulation made an exclusion for the principal for the very good reason that he or she is is in charge of the day-to-day running of the school and, if there was a good reason for the principal to be on the council on day 1, there was a good reason for the principal to be there after 6 years and 1 day. Why were the regulations amended to force the principal to step down after 3 terms? Surely it is desirable for a principal to stay at a school for 6 years and more in order to get to know the school community thoroughly and to establish a solid, continuing education system in the school. That makes sound educational sense. But what has the minister done? Basically, he has made it impossible for principals to stay in the same school after 6 years. Nobody else can take over the principal's position on the council because it is ex officio. If the principal continues in the school after 6 years, he has to stop being a member of the council and it has to operate without him. Why? It is ridiculous.

Mr Tuxworth: That is why it has been done.

Mr EDE: It was done by the minister. What more should we expect?

Mr Tuxworth: Rest your case.

Mr EDE: Mr Speaker, there appear to be no restrictions on the minister's power to intervene. The regulations, by their very existence, confirm that. But there is worse. They give the minister the power to impose one of his departmental officers on larger school councils. They would be there, he says, 'to guide, to assist and help'. But, if members of the councils do not want to be guided, assisted and helped, they will just have to lump it.

Look at the practical problems which have occurred since this regulation was introduced. The member for Sadadeen and I were at the Sadadeen School Council meeting on the evening of Tuesday 9 February. The school council had organised its annual general meeting for that day. Panic had set in during the day, however, as it was realised that the Administrator had signed the new regulations that afternoon which meant that the elections could not be carried out. The parents arrived, ready to go ahead with the elections, but nothing could occur because the council's constitution was not in line with the changed regulations. What were they to do? The options were discussed on the night and it was decided to defer the AGM to allow the school to call a special general meeting to amend the constitution, after which the AGM and the election of office-bearers could be held.

There is a problem with that. The constitution of that school council, like those of most school councils, requires a two-thirds majority for change. What happens if there is no two-thirds majority?

Mr Collins: No council.

Mr EDE: Exactly. Where will it be then? The situation is certainly no fault of school councils.

Mr Collins: They will be up that well-known creek.

Mr EDE: Exactly. It is not the school council's fault. The council may well say that it has had enough of the new regulations. The minister has been denigrating everybody in sight and he has put the regulations through without consultation. A school council may agree with parts of the regulations but consider that other parts are ridiculous. It may decide that it will not change its constitution.

Councils cannot continue under the old system because, according to the Education Act, they will not be legally constituted if they do not comply with the regulations. What will happen? Will the minister wind them up? That is all that would be left for him to do. Has he realised how much work those school councils have taken from the government? How many positions have been shed already from regional offices around the Northern Territory as functions have been taken over by school councils? Suddenly, all this work will be returned to the public service which will not be able to handle it. The whole school council system, which was set up 5 years ago after quite extensive consultation, would collapse in the space of this minister's first 3 to 4 months in office. This is the man who said he would be the greatest Minister for Education ever. What a start! He has every teacher in the Territory offside, he has every school council in the Territory offside and now he will wipe out the school council system. What will he do next?

Mr Smith: He is going overseas for a month.

Mr EDE: Mr Speaker, thank goodness for that. There may be some hope for us.

What happens if, in the previous year, the school council ...

Mr Coulter interjecting.

Mr EDE: Oh no, not you.

Mr Bell: Out of the frying pan and into the fire.

Mr EDE: The minister can't read and this one can't add up.

School councils elect half their members each year and people serve for 2-year periods. What happens if, last year, a school council AGM elected as its parent quota a substantial number of parents who also happened to be teachers? Even if such a school council amends its constitution and this year elects parent representatives who are unsullied by all the evil influences that these regulations are aiming at cutting out, the teacher representatives may still not fit within the one-third. It will create a legal minefield, a lawyer's playground. How do school councils know whether the acts which they take in good faith as governing their operations will stand up in court?

The new regulations are of doubtful validity. I have received another legal opinion on the subject of retrospectivity.

Mr Coulter: Table it.

Mr EDE: I am quite prepared to table it. You will not understand it but I will table it.

The Interpretation Act states that, if a regulation is made retrospective and it affects people's rights as Territorians, that regulation is null and void. That is a very unclear area. It basically comes down to an argument as to whether the regulation constitutes a repeal or simply an amendment. If it is a repeal, it may be that it is acceptable in terms of the Interpretation Act. If, however, it is an amendment - and it seems to me that it is - it will be subject to argument as to whether or not it has impinged on people's rights and should therefore be declared null and void. There are people who were elected to school councils between the period of 1 February and 9 February who are no longer able to serve on those councils because of this

regulation. Their right to be on school councils has been impinged on and, if we construe this regulation as an amendment, which is the only reasonable way to construe it, it should be null and void. We have a lawyer's playground, a legal minefield. It is an abyss that the minister has led us into because he could not get it right.

Of course, Mr Speaker, there is another interpretation that says that the regulation-making powers under the act do not give the minister the right to make retrospective regulations. That is quite apart from the other arguments that could be raised. If this had been introduced as a bill, we may have been able to fix the problems in committee. Because the minister was not game to bring it into the Assembly and acted through regulation instead, we have all these problems. It may be that the last problem simply requires a savings clause to the effect that nothing in the regulations shall be taken to affect the term of office of a member of a school council where the person validly held office immediately prior to the commencement of the regulations. Perhaps that would fix the last particular problem, but not the 95 others. This Assembly cannot fix the problems because it cannot amend regulations. All we can do is disallow them, tell the minister to talk to people and get it right next time.

The problem that worries me is where school councils are headed when we emerge from all this fog and confusion, this manipulating and manoeuvring. It is obvious: we are headed 'Towards the 90s'. That is what it is all about - that totally discredited policy that was rejected by educators, parents and teachers alike, the policy that we all thought was dead and buried. It has not been given the burial it deserves; it is still very much on the government's agenda. That is why this regulation was hammered through and that is why the minister does not care that it is wrong at law, that it can be challenged and that the school councils may not be lawfully constituted. He will stop at nothing to ram through his draconian 'Towards the 90s' policy in spite of all the objections to it. He realised that one of the biggest obstacles to the implementation of 'Towards the 90s' was the people who best knew what was in it: the school councils.

Mr HANRAHAN (Education): Mr Speaker, I move that the debate be adjourned.

The Assembly divided:

Ayes 15	Noes 9
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Hanrahan	Mrs Padgham-Purich
Mr Harris	Mr Smith
Mr Hatton	Mr Tipiloura
Mr McCarthy	Mr Tuxworth
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

SPECIAL ADJOURNMENT
Motion Relating to Disallowance of School Council Regulations

Mr HANRAHAN (Education): Mr Speaker, I move that the resumption of the debate be made an order of the day for 17 May or until the day following the receipt of a report from the Subordinate Legislation and Tabled Papers Committee on amendments to the Education (School Councils) Regulations, as contained in Regulations No 4 of 1988 and made under the Education Act, if such a report be received earlier. I commented on the position in relation to the composition of school councils this morning. I believe that is the way to go. I move that the motion be put.

The Assembly divided:

Ayes 15	Noes 9
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Hanrahan	Mrs Padgham-Purich
Mr Harris	Mr Smith
Mr Hatton	Mr Tipiloura
Mr McCarthy	Mr Tuxworth
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

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

The Assembly divided:

Ayes 15	Noes 9
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Ede
Mr Finch	Mr Lanhupuy
Mr Firmin	Mr Leo
Mr Hanrahan	Mrs Padgham-Purich
Mr Harris	Mr Smith
Mr Hatton	Mr Tipiloura
Mr McCarthy	Mr Tuxworth
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

GRAIN MARKETING AMENDMENT BILL
(Serial 77)

Bill presented and read a first time.

Mr SPEAKER: Honourable members, I have received the following letter from the Chief Minister.

Dear Mr Speaker,

It is proposed to introduce a Grain Marketing Amendment Bill 1984 (Serial 77) into the current sittings of the Legislative Assembly. The bill seeks to provide the NT Grain Marketing Board with the power to borrow money. The Grain Marketing Board has commenced operations and is receiving and marketing, in 1987-88, grain crops currently being grown by farmers. Deliveries of grain from farmers to depots will commence in late April and, consistent with past practices and grain board operations in the rest of Australia, the first advances will need to be paid to farmers. The Grain Marketing Board will need to borrow funds to make first advances and will then recoup these from the sale of grain.

Farmers are heavily dependent on the payment of first advances to meet the commitments for the 1987-88 crops and considerable hardship would result to many of them should they be required to await sales of grain before receiving payments. Accordingly, it is considered urgent that the Grain Marketing Board be given the power to borrow funds in order to operate the grain pools and make first advances to farmers once deliveries commence in April.

I therefore request that, pursuant to standing order 179, you declare the Grain Marketing Amendment Bill 1988, (Serial 77), to be an urgent bill.

Yours sincerely,
Steve Hatton.

Honourable members, I have considered the Chief Minister's request and, in accordance with standing order 179, I declare the Grain Marketing Amendment Bill (Serial 77) to be an urgent bill.

Mr PERRON (Industries and Development): Mr Speaker, I move that the bill be now read a second time.

The Grain Marketing Act was enacted to establish the Northern Territory Grain Marketing Board for the acquisition, processing and marketing of grain commodities in the Territory. The Act was commenced by notice in the Northern Territory Gazette on 17 September 1986 and, in accordance with the requirements of the act, elections were conducted by the Chief Electoral Officer early in 1987 to elect the required 3 grower members to the board. The Northern Territory Grain Marketing Board has assumed its responsibilities for marketing the Territory's grain crop, commencing with the 1987-88 harvest.

Honourable members will appreciate that this function was previously administered by the Agricultural Development and Marketing Authority. In order to receive and market crops, the board will need to operate a system of grain pools with the appropriate financial arrangements. This will involve the payment of first advances against crops received into the board's grain

depots. Recovery of those advances and subsequent payments to growers will be made as the proceeds of sales come to hand. The board is concerned that no express power to borrow is included in the existing legislation. It will be necessary for the board to borrow from time to time in order to operate the grain pools effectively.

The proposed amendment to section 16(2) of the act provides the NT Grain Marketing Board with the power to borrow. The operation of a pooling system such as that proposed by the board is standard practice throughout the grain industry in Australia. To the man on the land, the pooling system forms a vital element in his cash flow. The proposed amendment, therefore, will be favourably received by the farming community as it will enable the effective operation of grain pools in the Northern Territory. I commend the bill to honourable members.

Debate adjourned.

STOCK DISEASES AMENDMENT BILL
(Serial 85)

Bill presented and read a first time.

Mr SPEAKER: Honourable members, I have received the following letter from the Chief Minister:

Dear Mr Speaker,

It is proposed to introduce the Stock Diseases Amendment Bill 1988 (Serial 85) into the current sittings of the Legislative Assembly. The bill seeks to control the levels of chemical residues in meat and other foods. The issue of chemical residues in meat is a particularly serious one and these amendments are urgently required to enable the Northern Territory government to meet its national commitments.

All Australian governments have agreed to introduce legislation urgently to control undesirable chemical residues in meat and other foods and hence protect Australia's international markets and the Australian consumers. The ability to quarantine properties where violations of chemical residues levels are detected is urgently needed to be in place at the commencement of the 1988 dry season. Should quarantine arrangements not be in place for the coming season, and violations are detected, the meat industry would be denied access to markets. This would have serious production and financial implications for producers. The amendments concerning the welfare of animals are also an issue of serious concern. Legislative safeguards are urgently needed to enable government officers to take corrective action when instances of stock abuse are encountered.

I therefore request that, pursuant to standing order 179, you declare the Stock Diseases Amendment Bill 1988 (Serial 85) to be an urgent bill.

Yours sincerely
Steve Hatton.

Honourable members, I have considered the Chief Minister's request and, in accordance with standing order 79, I declare the Stock Diseases Amendment Bill (Serial 85) to be an urgent bill.

Mr PERRON (Industries and Development): Mr Speaker, I move that the bill be now read a second time.

The bill proposes to amend the Stock Diseases Act in 2 ways. The first amendment is intended to remove any doubt that the powers of the act may be extended not only to disease caused by viruses and pathogenic living organisms but also to diseases or conditions caused by other pathogenic agents and prescribed to be diseases for the purposes of the act.

Currently, the act seems to focus only on viruses or organisms which may be carried by animals or animal products and thereby cause disease or pathological changes in other animals, including human beings in some instances. If the holding is identified as a place from which living pathogens may spread or be spread to other animals or to human beings and if the pathogen is sufficiently important from the public health or economic points of view, the place may be declared to be a quarantined or a restricted area. That provides the legal basis for government intervention to prevent the pathogen from spreading or being carried beyond the boundaries of the restricted premises. It also justifies government assistance to help cooperative owners to eradicate the pathogen from their herds and properties, thereby allowing the quarantined or restricted status to be revoked.

There is an urgent need to extend these provisions to control pathogenic chemicals of major economic or public health significance. In fact, virtually every chemical substance can cause a disease of some kind - technically called a toxicosis - if its concentration in the body exceeds the limit of tolerance. For instance, it had long been known that horses may die from Birdsville disease, a toxicosis caused by chemicals produced by the leguminous weed Indigofera, but the disease was not regarded as one that could spread from place to place. However, when a Northern Territory veterinary practitioner in 1984 suspected Indigofera toxins carried in horse meat as the cause of a fatal liver disease in dogs, it soon became apparent that there is a real need to be able to prevent the spread of toxic chemicals to consumers of animal products known or likely to be contaminated with those materials.

Currently, as honourable members would know, there is a nationwide effort to ensure that Australian meat supplied to the export trade will not contain particular chemical compounds above the maximum residue levels, or MRLs, tolerated by US public health authorities. In line with the national integrated plan to deal with this problem and although DDT has not been used in the Territory for at least 20 years, we used the powers of the Stock Diseases Act to formally ban its use on 25 June last year. Then, on 20 October, we extended the ban to the treatment of animals with organochloride insecticides and acaricides or tickicides. The use of a number of organophosphates was also banned.

Other procedures were also set in place, including the sampling of carcases at abattoirs for evidence of unacceptable concentrations of chemical residues. By way of our established trace-back systems - that is, brands, tail-tags and waybills - officers are able to identify premises from which any problem animals originate. In fact, only 4 so-called violations have been recorded within the Territory and the holdings concerned no longer constitute a problem. However, there is a real need to be able to place problem properties under quarantine or on restricted status in the legal sense. Appropriate restrictions may then be applied to those holdings, including restrictions on the movement of animals and animal products therefrom, and government assistance may be offered to assist cooperative owners to eradicate the problem.

The proposed amendment will allow a toxicosis to be prescribed as a disease for the purposes of the act, being the condition of an animal carrying a chemical substance in its tissues in concentrations exceeding the maximum residue levels tolerated by Australian public health authorities. It will then be possible to apply the provisions of the act relating to the control of animals carrying such chemical residues to holdings carrying such animals.

All Australian governments are committed to the principle of preventing the dissemination of undesirable chemical residues in meat and other foods. Therefore, that policy has the support of industry leaders and all other informed responsible citizens. The proposed amendment is consistent with that policy and I commend it to honourable members.

The second amendment is also meant to provide the basis for introducing prescribed standards for welfare of animals, including euthanasia of terminally injured or stressed livestock. By definition, no truly humane person could or would tolerate cruelty to animals, whether by malicious intent, culpable neglect or carelessness. We regard that as criminal behaviour. For that reason, acts for the prevention of cruelty to animals are most commonly implemented by police officers and inspectors employed by the Society for the Prevention of Cruelty to Animals.

In respect of farm animals, there was a time, we like to believe, when stock owners and their employees were inherently familiar with the theory and practice of animal husbandry and intelligent management. Whatever may have been the real truth about that, the fact is that, in today's world, increasing numbers of persons responsible for the care of animals and for the management of animal enterprises enter the industries knowing little or nothing about the real nature and needs of the animals in their custody. As a result, governments are under increasing community pressure, and rightly so, to prescribe standards of animal welfare and to enforce compliance with those standards. The great majority of Northern Territory stock owners do not need to be told, let alone ordered, to comply with acceptable standards of animal care. We are really concerned only with the relatively few persons on Northern Territory properties who are ignorant of the basic principles of animal husbandry or refuse to comply with those principles.

Taking the extreme case, most humane persons would find it incredible that a stock owner with years of experience could or would refuse to kill a terminally injured or stressed animal and refuse to allow anyone else to do so. Currently, the only remaining way for such an animal to be relieved of its suffering is for a police officer to obtain from a Justice of the Peace an order to kill the animal. Under the Prevention of Cruelty to Animal Act, section 16 implies that Justices of the Peace and police officers are competent to arrive at a prognosis as to whether an animal is in such a weak disabled, diseased or injured state that its recovery is impossible and that it ought to be killed. As inspectors of stock are authorised under the Stock Diseases Act to enter holdings for the purposes of inspecting stock for evidence of disease, it is considered that they are also competent to monitor compliance with prescribed standards for the welfare of animals.

Under the proposed amendment, inspectors of stock would be authorised to order owners or their agents, if necessary, to comply with the prescribed standards for the welfare of animals under the given conditions. In particular, they would be authorised to order an owner or his agent to take appropriate measures to relieve the suffering of a terminally injured or stressed animal. If the owner or his agent failed or refused to comply with such an order, the inspector would be authorised under section 44 of the act

to kill or apply euthanasia to a terminally diseased, injured or distressed animal or to arrange for another person to do so, any expenses being recoverable from the stock owner as a debt payable to the Territory.

There is a worldwide expectation that all governments will provide legal safeguards for the welfare of animals and be seen to be genuine in the administration of those requirements. To that end, the Australian Agricultural Council has sponsored the development of a number of codes for the welfare of animals and a variety of conditions and additional codes are in the drafting stage. The expectation has been that Commonwealth, state and territory governments would adapt and adopt those codes within their respective areas of jurisdiction. The proposed amendments would enable that process to proceed with respective codes - amended, if necessary, for Northern Territory conditions - being scheduled as standards under the Stock Diseases Act. I commend the bill to honourable members.

Debate adjourned.

ADJOURNMENT

Mr HATTON: Mr Deputy Speaker, I move that the Assembly do now adjourn.

Mr FIRMIN (Ludmilla): Mr Speaker, last night in the adjournment debate I unfortunately ran out of time while discussing the problems of Hudson Fysh Avenue and the possible road closure in that area. I would like to continue that discussion tonight and to set out some possible remedies.

I said that Hudson Fysh Avenue residents were suffering problems with traffic safety management and had been doing so for nearly 3 years. The city council has been investigating methods of alleviating the suffering of those people and I agree that action needs to be taken very quickly. The main problem is that the major connector roads surrounding Ludmilla have started to become somewhat congested at peak hours. It has been an advantage for people wishing to avoid the traffic lights at the Beaurepaires intersection on the Stuart Highway or the major traffic flow areas in Ross Smith Avenue and Dick Ward Drive. Considerable numbers of vehicles leaving the city have been turning off East Point Road at Gregory Street and continuing across Ross Smith Avenue and along Hudson Fysh Avenue into Bagot Road, thus avoiding all of the major intersections they would otherwise encounter on their way to the northern suburbs.

In the Parap area, particularly when the market is open on Saturday mornings, people leaving the area find it very simple to go up Gregory Street, across into Hudson Fysh Avenue and straight through to Bagot Road. A glance at the map shows that this route provides a considerable reduction in the distance travelled; it is a speedier route to the northern suburbs. The situation is further exacerbated by the fact that St John Ambulance is located in Ross Smith Avenue. Until the problem was drawn to its attention, St John Ambulance was using Hudson Fysh Avenue as a high-speed means of gaining access to the northern suburbs. Unfortunately, what has happened is that that street has become a major connector although it was not designed as such nor intended to be used for that purpose. Basically, it is a minor, residential street.

There are several ways that the matter could be resolved. One method, which has been tried before and is now proposed again, is the closure of Hudson Fysh Avenue to through traffic. As I pointed out to the city council, whilst that proposal received some favourable consideration by the persons who were immediately affected by the problem, it was not met with a great deal of

approval by residents in the immediate neighbourhood because, for many, the street provides the only access to their own streets unless they divert some considerable distance. Nor was it attractive to the people in the Floreat Plumbing development at the bottom of Hudson Fysh Avenue, some 68 people in all, who in fact had never been surveyed. Their only access to the area is through Hudson Fysh Avenue because the street into their subdivision enters directly into Hudson Fysh Avenue. All of the people in that subdivision opposed the closure of the street although they had never been asked for their views.

There are 2 proposals that I would put to the city council. I believe either would work, but one would obviously work better than the other. The first proposal would be that the council create a centre-line, concrete median strip down Hudson Fysh Avenue to ensure that the traffic using the street drove on the correct side of the road. This would eliminate the curve problem at the top of the hill where accidents have been occurring and facilitate policing of the no-parking area that has been created. Last night, for example, I looked at the street on my way home and found that 3 vehicles were parked in the no-parking zones, creating a very dangerous situation. Unfortunately, I observe that quite frequently on my visits to Hudson Fysh Avenue to check on what is happening there.

The other alternative, which I believe offers the best solution, is the placement of a small roundabout on the corner of Hudson Fysh Avenue and Douglas Street. If the city council took traffic counts in Gregory Street, it would probably find that there is an equally dangerous situation on the bend there, as traffic leaves the Parap area and moves towards Ross Smith Avenue. Another small roundabout in that area would not only relieve the problems in the neighbouring electorate of Fannie Bay but would make Gregory Street a less attractive route through to Hudson Fysh Avenue. There would no longer be a high-speed, direct route through to Bagot Road. It would be far simpler for drivers to use the Ross Smith Avenue access to the Stuart Highway, where they get a free run on a 3-lane highway.

As the Minister for Transport and Works has so ably pointed out on many occasions in this Assembly, for some peculiar reason, planners in Darwin over the years seem to have had a certain distrust of roundabouts. During visits to South-east Asia and other overseas destinations, the minister, myself and several other honourable members have observed that roundabouts serve a very useful purpose. They are commonly used elsewhere in Australia and can be designed specifically for small streets, large streets or major carriageways. They can be designed to facilitate a variety of traffic patterns on major freeways, and they make very good traffic manipulators. In fact, the largest roundabout I have ever seen is on the Hollywood Freeway in California. I saw it several years ago and it is an incredible construction. Something like 5 major freeways converge into it, traffic circulates, and then continues on another 5 highways going south. The smallest roundabout I have seen is about the size of a Holden wheel and it works just as effectively. I saw it in England in a country village at the intersection of several small roads.

The Darwin City Council has trialed several roundabouts. Honourable members are all familiar with the one at the end of Smith Street leading into Gilruth Avenue. It serves its purpose quite effectively. Small roundabouts have also been used in suburban areas of Rapid Creek and Nightcliff, in a local road system which over the years has been considered extremely dangerous. In fact, it was so dangerous that some residents of the area were considering asking for 4 or 5 different road closures. Fortunately, common sense prevailed and 4 or 5 small roundabouts were installed. They have proved to be very effective.

I believe that the placement of at least 1 roundabout, and possibly 2, in the area of Gregory Street and Hudson Fysh Avenue would not only alleviate the problem of through traffic but would make the area safer by slowing traffic movement. They would inhibit through traffic and that would reduce the problems for my constituents in Hudson Fysh Avenue and make it the quiet suburban street that it is supposed to be.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, my initial remarks today will be in support of remarks made by the Chief Minister in relation to the deaths of certain prominent people in the Northern Territory. I would like to add my condolences to the family of Mr Richard Fong Lim, whom I knew personally, both because I know the family quite well and also because he was a constituent in my electorate, along with his family, for some time after he retired from the hotel business.

Richard was a very happy man. He was a very good family man. He came from a family which has contributed a great deal to the development of the Northern Territory. I believe that he has not died but lives on through his family and the children he has left behind, and I believe the development of the Territory will be the poorer for his going. People like Richard Fong Lim and his family have contributed a great deal to the Territory through their willingness to work together.

I would also like to offer my condolences to Mrs Lou Stewart's family. I knew Lou personally over a long period and she was a battler. She was a person who believed that the little things in life are important - which they are. Most of us have little things that happen to us day by day and, if they are not there, we notice their lack. Little things are usually very important because most of us lead pretty humdrum lives and anything that changes that is important to us.

Mrs Lou Stewart lived for a long time in the Northern Territory and she was very active in civic life. She also has left a very interesting family behind her. I know her daughter, Mrs Kath Meyering, very well. Until recently, she lived in my electorate. I do not think Kath would mind me saying that I believe that, while she is alive, her mother is not dead - because Kath Meyering is very much like her mother. She is a battler. She does unusual things. She will not be put off by people saying that something cannot be done; she will do it. When she was a lady of mature years, she took up flying aircraft and I think she has progressed from flying light aircraft, at which she is quite expert now, to ultralights.

Mr Deputy Speaker, another lady known very well to you has also passed away recently. I refer to Mrs Ruth Nixon in Katherine. Whilst I did not know her very well, I did know her quite well. Together with her husband Bert, she contributed for many years to the agricultural development of the Katherine area. Mrs Ruth Nixon was what one would call one of nature's ladies. She was also very hard working. She is survived by her husband Bert and I believe that they were innovators in no small way in agricultural development. It is to people like them that we owe so much because, through their initiatives, they brought so many plants into the Northern Territory and grew them at their own expense and with their own knowledge. They have passed that knowledge on to other people. They propagated certain plants in the Territory long before the government or CSIRO was interested. I know that both Mrs Ruth Nixon and her husband were very interested in developing strains of domestic stock. Mr Bert Nixon still is very interested in that field of agriculture. The people in the Katherine area express their regret at her passing.

Mr Deputy Speaker, at the risk of repeating what I have said several times before, I believe this is so serious that it must be repeated until somebody takes action to stop it. I refer to the insidious inroads into our thinking arising from violent videos and films which are coming into the Northern Territory. Since I have voiced my concern over the last couple of months, many of my constituents have congratulated me on the stand I have taken in the effort to obtain restrictions on such videos and films coming into the Northern Territory.

I should not have to explain to honourable members in detail the trauma that is inflicted on children who are too young to be able take a mature outlook in relation to incidents that they see on TV. Whilst they are happily watching something suitable for children, perhaps under parental guidance, they see excerpts of videos showing unnecessary violence, no doubt designed to encourage people to buy the videos.

I am not commenting on whether these videos are rated M or R or X. All I am saying is that, together with the vast majority of responsible people in the community, I want to see increased restrictions on the entry of these products into the Northern Territory. I have never espoused extreme feminist views but I have to agree with feminist groups that much of this violence is directed against women and children by men. It is very easy to see the direct results of the increased presentation of such violence, by reading in the newspaper on any day of the week about violence directed against women and children, often in domestic situations. It is usually directed at women who are incapable of defending themselves or who prefer not to defend themselves because they fear that their children will also be the recipients of violence.

It is no good saying that mature people reject these influences. There are always members of the community who will not be affected by violence presented in this way. However, there are many people in the community whose nature is such that they will be influenced adversely by the violence presented to them. I am not a prude in any way. I do not have violent objections to mild videos of a sexual nature being available to mature viewers. However, when violence is involved in these videos, I believe there is a case for direct government intervention.

I know the minister said that I was part of the decision-making body which made the rules for the ingress of videos into the Territory some time ago. That was when I was in the CLP.

Mr Manzie: It was a conscience vote, Noel.

Mrs PADGHAM-PURICH: It wasn't a conscience vote.

At the time, we allowed a certain amount of latitude to the proprietors of video shops in that we relied on their good taste and good sense to keep certain videos away from immature viewers. I wonder if this is policed in any way. One of my constituents, who shall remain nameless, went into a video shop which shall remain nameless. He thought he would have a look through what was offered. He took an X-rated video home expecting it to be as advertised on the cover. He is a mature chap. He told me that he watched it right through and he was sickened by the violence in the video. That video was displayed openly with other videos where any young, immature person under the age of 18 could have taken it home.

I am requesting the minister not only to look into this but to act expeditiously to restrict the violence that is coming into the Territory by

way of videos and films. Films are perhaps not as bad as videos but they are nearly as bad. The shops should be policed in some way to ensure that X-rated videos are not available to immature persons.

Mr REED (Katherine): Mr Speaker, I rise to pay tribute to a long-time resident, Mrs Ruth Nixon, who passed away in Katherine last Saturday, 20 February. I have known and respected Ruth Nixon for many years. She was a lady in the truest sense. Ruth Nixon grew up in Adelaide where she went to school and later attended business college. After qualifying as a typist, she had intended to obtain employment in the country. However these plans were interrupted by the outbreak of World War II and so she remained in Adelaide. During the war, Ruth met a Katherine farmer, Bert Nixon, who was then visiting Adelaide. The friendship formed from that meeting led to their wedding in 1946, after which they travelled to Katherine. The journey north and the lifestyle in Katherine created a big change for young Ruth Nixon and was certainly a contrast to the previous lifestyle she had experience as a genteel city girl. The trip to Alice Springs on the Ghan was followed by a journey to Katherine in Bert's ex-army blitz truck. The journey, marked by blow-outs and fuel shortages, eventually ended at the Katherine River which was swollen by floodwaters and had to be crossed in a dugout canoe.

On arrival at her new home, supposed to have been completed by workers in Bert's absence, it was found that the house had no windows and no doors. Hard work followed in establishing and running a station of more than 1000 square miles and undertaking such tasks as making butter, cream, bread and clothes to meet the needs of her family, stockmen and Aborigines. All of this, of course, had to be done without modern-day services and conditions.

1948 saw the arrival of the Nixon's first child. Women of today would be horrified at the thought of going to hospital in a dugout canoe. Such was the case with Ruth Nixon, however, who in 1948 had to cross the raging floodwaters of the Katherine River in a dugout canoe to reach the hospital where the Nixon's only child, Janet, was born. In those times, working and living conditions were such that few men today, let alone women, would readily accept them. Ruth and Bert Nixon continued to live on their farm and cattle station, Forsbrook. Ruth was an active and much respected citizen of Katherine always known for her genteel manner and disposition - a quality she consistently maintained.

Mr Speaker, I pay tribute to Ruth Nixon, a Territory pioneer who contributed so much to the development of the Territory and to whom we will be so long indebted. On behalf of this Assembly, I pay tribute to her and offer my condolences to her husband Bert, daughter Janet, son-in-law Phillip and grandchildren Matthew and Richard.

Mr BELL (MacDonnell): Mr Deputy Speaker, there are a couple of matters I wish to address in the adjournment this evening. The first concerns a notice in the Northern Territory Gazette of 8 February. It refers to section 3122 on the East Arm in the Hundred of Bagot. The person to whom this grant is being made is Mr Nick Paspaley of Paspaley Pearling Company Pty Ltd. It is a determination under section 12A(1)(a) of the Crown Lands Act in pursuance of section 15(2) of the Crown Lands Act.

As the Minister for Lands and Housing will be aware, the opposition has drawn attention to some serious improprieties in respect of these awards and I want to mention the conditions of these awards in tonight's adjournment debate. According to this gazettal notice, the arrangement apparently is that this particular block of land will be converted to freehold at some

unspecified time in the future. In the interim, the land is to be rented. The rental amount is $10 000 per annum until conversion and the price on conversion is to be $200 000. A couple of questions arise in respect of that. One is: how was the price of $200 000 for this block of land arrived at? I would have thought that the devotees of free-market forces who occupy the government benches would have been reluctant to predict the future market value for any block of land.

Mr Manzie: The inference is totally unfair.

Mr BELL: I am discussing the way the government does business. It appears to me that the government has something to hide.

Mr Manzie. You are denigrating honest citizens in this House.

Mr BELL: If the Minister for Lands and Housing will allow me to ask the questions, he might be able to find out whether they are reasonable or not. I am asking why this price of $200 000 was decided in advance. If somebody intends to sell his house in 1990, he normally waits until 1990 to find out what its market value is. It is most unlikely that it would be to anyone's advantage to fix a price on it in 1987, as is the case in this instance. My first question is: why is the government setting market values in advance of the actual purchase? My second question is: if the block of land at current value is worth $200 000, why is a rental of $10 000 being asked? I would have thought that 5% of the value of a block of land was a particularly generous rental offer. The proposed development is a facility for a pearling operation.

For the information of the Minister for Lands and Housing, the opposition is always accused of muckraking when I do my job as opposition spokesman for lands. When I publicly raise legitimate questions about the government's involvement in land dealings, I do so in order to find out more details because so many of these deals have been less than acceptable to the general community. I want more details in this case.

Mr Dondas interjecting.

Mr BELL: To answer the question from the member for Casuarina, I happen to be using the grievance debate for what it is supposed to be used for. Sometimes I obtain answers to questions I raise in grievance debates and sometimes I do not.

Mr Deputy Speaker, the other matter I want to raise in this evening's adjournment is the continuing saga of the Royal Darwin Hospital. The situation there is as every bit as bleak as the opposition described to the parliament earlier in these sittings. I want to point out to the Minister for Health and Community Services that there is serious concern at the hospital. He would be aware that there were meetings of nurses at the hospital who are concerned about the short-term placement of Ward 9 patients in Ward 5A, pending the construction of the rehabilitation component in Ward 9.

If there were any need to further establish the strength of the opposition case presented in the Assembly yesterday, this is it. You will recall, Mr Deputy Speaker, the minister's extraordinary comments about Ward 5A patients. He tried to say that everything was quite okay and that we should forget about the fact that the living daylights were being frightened out of nursing mothers in the maternity wing. The fact of the matter is that Ward 9 patients, who are subject to orders under the Mental Health Act and who come

before the courts because of behavioural disturbance or because the communities they live in cannot control them and who have committed criminal offences, are being accommodated in Ward 5A. I understand that the rehabilitation component of Ward 9 is due for completion some time in the next few weeks. I want to get bipartisan support in this Assembly for the proposal that a deadline be set for the completion of these works and that it be no later than 30 March.

What I suggest to you, Mr Deputy Speaker, is that the nursing staff at that hospital are in the untenable position of having to control violent patients. My information from the Nurses Federation is that one nurse had her nose broken. To put it strictly in context, this was not done by a person who would normally be in Ward 9. But the degree of violence that nursing staff at the hospital have to cope with, and have had to cope with, has been completely unacceptable.

Nurses do a great job in caring for the sick, in ensuring that our hospitals run smoothly and that people receive the care that is necessary for their recovery. In this particular case, the level of violence and disturbance that nurses have had to put up with is becoming intolerable and I think that it is appropriate for this Assembly to ensure that the rehabilitation component of Ward 9 is completed by the end of next month. I do not believe that that is an impossible target for a capital works project of that nature and I believe it has to be done. I think that is an important objective for us.

The other important objective, as I outlined yesterday in the discussion on a matter of public importance, is that there must be an inquiry into the difficulties that are being experienced at the hospital by nursing staff and others. Quite clearly, there are problems that the minister himself is not able to bring to the Assembly. The sources of information that are available to him evidently prevent him from exercising his ministerial responsibility in an appropriate way and from being accountable to this Assembly. That has been clearly shown during the debates and through the questions that have been asked of him this week. I think it is appropriate that some form of inquiry be instituted, reporting back to this Assembly.

At this stage, I will not suggest that the opposition will be supporting any particular strategy. I have given the minister the opportunity; I have given him more than 24 hours to consider this. At this stage, he has refused to make any comment on the suggestion although he has had considerable opportunity to do so. As far as I am concerned, that is a matter for serious concern. The fact of the matter is that conditions are not adequate at the Royal Darwin Hospital in respect of the psychiatric facilities and their proximity to the maternity ward, and in respect of the control of patients.

Mr MANZIE (Attorney-General): Mr Speaker, I rise tonight to speak in relation to comments made by the member for MacDonnell in this evening's adjournment debate. The comments related to a gazettal notice. The member seemed to have some problems in understanding particular processes and he had 2 questions to ask. However, instead of being content to ask questions to find out the factual information relating to the gazettal, he demonstrated a lack of morality in respect of his understanding of justice and displayed a distinct lack of intestinal fortitude. We heard a member of parliament making accusations regarding a respected member of our community and trying to infer that there might be some sort of under-the-counter deals in a particular transaction involving government land. I found that most offensive and most cowardly.

If the honourable member has a question, he can ask the question. If the answer causes him some concern and if he thinks he has a case, then he can make some comments. But he made the comments prior to asking the questions. He denigrated a member of our community, where that member of the community has no opportunity of offering any defence under the same circumstances. The member sits in coward's castle and mouths off with great feeling. He makes out that he is a man of integrity and then makes insinuations and snide remarks along the lines of 'the government has had involvement with land dealings which could be less than acceptable'.

He cannot give one concrete example of what he has inferred. I challenge him to walk outside this House and accuse any member of this government of being involved in any unacceptable land deal or never to raise the issue again. It is cowardly and it shows a lack of intestinal fortitude. He sits here and mumbles about hard-working people in this community when he has no factual information and no grounds for his comments.

If the honourable member has a question, it is fair to ask the question. I will be quite happy to provide the information for him. In cases like the one to which he has referred, the Valuer-General is involved in setting prices and rentals and specific procedures are followed. If those procedures were adhered to, that is fine. Let him ask the questions and I will provide the answers. If he then believes that there is some matter that requires further clarification, that is fine also. But to stand up in this House and make accusations of possible dishonesty on the part of hard-working people in our community is a very cowardly and shameful act, and I am surprised that a person of the honourable member's integrity behaved as he did tonight. I certainly hope that we do not see similar acts in this House again.

PERSONAL EXPLANATION

Mr BELL (MacDonnell)(by leave): Mr Speaker, I wish to place on the record of the Assembly, in answer to the suggestion that I have said things in the Assembly that I believe to be untrue, that that is not the case. The fact is that, with respect to the gazettal notice that I raised in the adjournment this evening, I asked legitimate questions about the price to be asked at some time in the future and the value of the rental that is being required, and the relationship between the 2. I can only imagine that I have struck a very raw nerve with the honourable minister and I will be very interested in his answers to the questions that I most appropriately asked in the grievance debate.

Mr SETTER (Jingili): Mr Speaker, I would like to raise several matters which have been brought to my attention by certain constituents. I think they are matters of interest to the Assembly and, indeed, to the community at large. In this particular community, we have many people from overseas. I would say that least one-third of our community is made up of people from places other than Australia. It is quite common for a number of those people, particularly the middle-aged or elderly people, to be in receipt of some type of pension, such as a war service pension. Such pensions are paid to many people who have fought for their countries. Many European nations pay such pensions and many citizens who fought in the armed forces of their countries and subsequently migrated to Australia still receive such pensions. That has been occurring for many years and everybody knows about it. There are many people in Australia who receive war service pensions. Until July 1987, those war service pensions and other pensions were tax exempt. I understand that Australian war service pensions are tax exempt.

The federal government has been grabbing every piece of tax that it can possibly get hold of. That has not yet stopped. Rumour has it that it is about to slip into superannuation once again. If one counts the number of taxes that have been introduced by this federal government in the last 4 years, the mind boggles. I would like to know where all the money is going. The federal government is now taxing these middle-aged and elderly people who receive a pittance from overseas war service pensions. It is a few measly dollars and these people are really upset. It is not a matter of simply applying a nominal tax, which most people could probably accept, the federal government is insisting that those pensions be added to the recipient's normal income and taxed at the normal taxation rate. Therefore, in most cases, the taxation rate is between 35% and 49%. The few measly dollar then become very few dollars indeed. In fact, the pensions are hardly worth receiving and the people who raised the matter with me are very upset about it.

I made some inquiries with the Department of Taxation. I was told that, as of July 1987, it had come to an arrangement with a number of foreign countries. The arrangement was that, if the pension was not taxed in the country of origin, the Australian government would apply tax at this end. It is not taxed at both ends; it is either taxed there or it is taxed here. My advice is that, in by far the majority of cases, the tax is applied in Australia.

It is another example of this federal government grabbing at every last straw of taxation that it can possibly lay its hands on in order to fund its socialistic programs. This year, it is spending something like $20 000m on social welfare payments of numerous types, compared with an expenditure of $7000m or $8000m on education, slightly less than that on health, down to about $3000m on transport and works. I would have to question whether that social welfare expenditure is justified. It has become a huge industry and the taxpayers of this country are paying through the neck. I have had enough of it, Mr Speaker.

Another matter I would like to raise does not relate directly to taxation but to taxpayers funding somebody else's excesses. I am talking about bank charges incurred by the government. As honourable members know, several years ago, the government changed its bank account to Westpac. That is fine and I have no problem with that whatsoever. We also know that Westpac is a private enterprise operator. We on this side of the House support that concept but we also know that Westpac receives, on a daily, weekly and monthly basis, tens of thousands of cheques by way of payment for government service charges, fines imposed by the magistrates courts and so on. These are all deposited at Westpac.

Some cheques are dishonoured because there is insufficient money in the account on which they are drawn. In such a situation, the bank sends an advice to the person who received the cheque stating that the cheque should be presented again. When it is presented again, there is a $5 charge. The bank holds it for a week and then presents it again. If it is presented the second time and bounces again, it is referred to the drawer. It is returned to the government department responsible. This time, there is a $9 charge. By the time we have gone through this exercise, there is a $5 charge for 'present again' and $9 for 'refer to drawer'. That is $14. I am advised that, when we do refer to the drawer of the cheque and, hopefully, collect our money, we do not add on the cost of the bank charges. Thus, in every one of those instances, there can be a cost of up to $14.

Mr Dondas: It is illegal to write a cheque that will bounce.

Mr SETTER: That is another matter. I have not found out how many instances occur but I would imagine there are thousands every year with a cost of $14 on each occasion, borne by the taxpayers of the Northern Territory at a time when this government is trying to save as much money as it possibly can. I am saying that there is a need to look at the matter very seriously. I am also advised that the previous banker, the Reserve Bank, did not apply any charges to government accounts. It absorbed all of the costs itself. This is not a matter for me to decide on; it is a matter for the Treasurer. Nevertheless, it is a great deal of money and a problem that we could address.

Mr Dondas: How many cheques bounce in a year?

Mr SETTER: I do not know how many cheques bounce each year, but I could certainly find that out.

There is another matter I have become aware of and it is similar in some respects. The Department of Law employs a number of bailiffs who move around this community to serve summonses. I am led to believe that they receive a commission for each service. I am not sure what the amount is, but I understand it is between $10 and $20 for each occasion on which a summons is served. Mr Speaker, as you would well know, and I am quite sure the Attorney-General ...

Mr Dondas: That is out of date. Those costs are paid by the plaintiff or the defendant.

Mr SETTER: I am advised that those costs are not paid by the defendant.

Mr Dondas: They are.

Mr SETTER: I will be seeking advice on this and I hope that I stand corrected, but my advice was received from a person who should know. The advice is that the costs of employing those bailiffs is borne by the Department of Law and, therefore, by the taxpayer.

Mr Dondas: Are you talking about private service or public service?

Mr SETTER: I am talking about the results of actions taken by the Department of Law. I am advised that the amount is $10 or $20 per service. During the course of a financial year, thousands of summonses are served in the Territory. Tens of thousands of dollars are involved, if not more, and all cost is borne by the taxpayer. Those charges should be levied against the person responsible for creating the problem or incurring the charge.

I certainly will be raising all of these matters with the Treasurer and requesting that he modify the regulations to ensure that the taxpayer is not caught holding the bunny in relation to those charges. They should be passed on directly to whoever is responsible for incurring the nuisance in the first place.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

QUESTION TO CHAIRMAN OF SUBORDINATE LEGISLATION AND TABLED PAPERS COMMITTEE

Mr HATTON (Chief Minister)(by leave): Mr Speaker, I ask the Chairman of the Subordinate Legislation and Tabled Papers Committee whether, pursuant to standing order 274, the committee has given permission for the evidence taken by it, documents presented to it or its proceedings during this current period of sittings to be disclosed or published by any member of the committee or any other person?

Mr SETTER (Jingili): Mr Speaker, the answer is no.

MATTER OF PRIVILEGE

Mr HATTON (Chief Minister): Mr Speaker, pursuant to standing order 83, I raise a matter of privilege. The member for Barkly appeared on the ABC 7.30 Report on 25 February 1988. He purported to detail proceedings of a standing committee of this House which I believe is in breach of standing order 274 which, under the heading 'Evidence Not Reported', states:

> The evidence taken by, documents presented to, and proceedings and reports of the committee which have not been reported to the Assembly, shall not, unless authorised by the Assembly or the committee, be disclosed or published by any member of such committee, or by any other person.

We have heard from the Chairman of the Subordinate Legislation and Tabled Papers Committee that no such authorisation was given.

The member for Barkly was elected in 1974 and is one of the longest serving members of this House. He would be well aware of the standing orders and conventions of this Assembly. Mr Speaker, I submit that the statements made by the member for Barkly on the 7.30 Report constitute a contempt of parliament. I lay on the Table a copy of the relevant segment of the transcript of the ABC 7.30 Report shown on Channel 6 on Thursday 25 February 1988. I also table a copy of a video recording of that particular interview.

Mr Speaker, pursuant to standing order 83, I request that you refer the matter of which I have complained to the Privileges Committee.

Mr SPEAKER: Honourable members, I have listened to the matter raised by the Chief Minister. I will give the matter consideration and will advise the Assembly of my decision tomorrow.

LEAVE OF ABSENCE
Minister for Tourism

Mr FIRMIN (Ludmilla): Mr Speaker, I seek leave of absence for the remainder of these sittings for the Minister for Tourism who is leading a tourism delegation overseas.

Leave granted.

STATEMENT
Leader of Government Business

Mr HATTON (Chief Minister): Mr Speaker, I advise the House that the Minister for Mines and Energy will be acting as Leader of Government Business in the absence of the Minister for Tourism.

LEAVE OF ABSENCE
Member for Arafura

Mr LANHUPUY (Arnhem): Mr Speaker, I seek leave of absence for the remainder of these sittings for the member for Arafura who is on business with the Minister for Tourism overseas.

Leave granted.

TABLED PAPER
Standing Orders Committee - Third Report

Mr POOLE (Araluen): Mr Speaker, I present the Third Report of the Standing Orders Committee which relates to time limits for censure motions and periods of suspension. Mr Speaker, I move that the report be printed.

Motion agreed to.

MOTION
Standing Orders Committee - Third Report

Mr POOLE (Araluen): Mr Speaker, I move that the report be adopted.

Debate adjourned.

MINISTERIAL STATEMENT
Mimosa Pigra

Mr PERRON (Industries and Development): Mr Speaker, I wish to make a statement today in respect of the noxious weed, Mimosa pigra. Those honourable members who have driven across the Arnhem Highway causeway near the Adelaide River may have noticed a tall prickly shrub dominating the floodplain. This is mimosa, a plant native to Mexico and central and South America. However, members may not be aware of the devastation that it is causing in the Top End.

Mimosa covers some 450 km^2 in the Top End and heavy rainfall could see all floodplains downstream of infestations under threat. It causes problems to primary industry by preventing access to irrigation and stock watering points. The dense thickets reduce available grazing areas by competing with pasture grasses and they interrupt livestock mustering. A report to the Feral Animals Committee in 1982 identified it as a major constraint to the development of the buffalo industry.

Mimosa is also a problem for those using rivers and floodplains for recreation, for the tourist industry and for conservation of the natural environment. The natural landscape of our wetlands is being drastically changed and, in the long term, mimosa is likely to have a disastrous effect on native animals and plants.

In Australia, mimosa occurs only in the Northern Territory and it has frightening consequences for all the wetlands in the north. There are records of mimosa in Indonesia in the mid-1800s and it is believed to have arrived in Darwin between 1870 and 1890. In 1892, Maurice Holtze included it in a list of plants which had been introduced to the Territory but which had escaped and become comparatively numerous. All the earlier records of mimosa have some association with the Botanic Gardens. Indeed, the main purpose of the gardens in the early days was to introduce seeds and plants from all over the world.

Mimosa is an interesting plant. Its leaves are sensitive, closing on being touched and at nightfall. It may therefore have been introduced for botanical interest, but its more sinister side quickly became apparent. A 1913 report from the then curator of the Darwin Botanic Gardens, Mr Charles Allen, stated:

> The task - a large one - of ridding the gardens of undesirables such as lantana, mimosa, horehound and other noxious weeds is being taken in hand; and I hope in my next report to be able to state that they are clear of these pests but the work will take some months to accomplish.

Mr Speaker, 75 years later, anyone viewing the Adelaide River floodplains must sincerely regret that Charles Allen was unsuccessful in his task. A botanical specimen of mimosa collected in Darwin in 1943 is held in the Queensland Herbarium. It is accompanied by a hand-written note describing it as 'a dreadful curse and noxious plant ... forming a dense thicket ... to the exclusion of all other plant life'.

For about 80 years, mimosa was confined to the Darwin city area. It was not until 1952 that it was first noticed in the upper Adelaide River area, not far from the township. In 1965, when the weed was still mainly confined to the river banks between the town and Tortilla Flats, a chemical control program started. One technical assistant and one labourer, with the occasional assistance of a second labourer, were successful in preventing seeding of the weed over 35 km of river frontage. Unfortunately, the resources provided were not sufficient to cover the area downstream from Tortilla. The technical assistant's diary shows that, on 18 August 1966, when he asked for an extra labourer, he was told that he was 'glorifying the job'. The result was that mimosa continued to spread downstream.

This full-time eradication program ceased in 1971 as it became clear that it was a losing battle. Limited control of isolated infestations and along roadsides was implemented in 1972 and still continues today. Again, in 1974, a submission for further full-scale eradication attempts over a 12-year period was rejected. By 1975, mimosa reached the Arnhem Highway, approximately 100 years after its introduction.

In the upper Adelaide River, mimosa was mainly confined to the river course. Below Marrakai crossing, there are broad treeless floodplains, the favoured habitat of mimosa where dense monocultures of the plant have formed. In 1980, plants were scattered over 4000 ha. More recently, 30 000 ha of the Adelaide River floodplain were reported to be infested. Mimosa has spread to other river systems and now extends from the Moyle River in the west across to Arnhem Land.

When plants are first introduced in a different country, it is not easy to predict how they will behave in their new environment. Although the weed potential of mimosa was recognised in the early days, its ultimate impact on

the floodplains was not realised. In the 1960s and early 1970s, there was no other example elsewhere in the world of this kind of devastation by mimosa that could be used as a lever to get some action. In fact, it was not until 1980 that it was found that a similar phenomenon was occurring with mimosa elsewhere, concurrent with the Territory invasion. In 1980, there was a call for assistance in a newsletter published by the International Plant Protection Centre in the United States. American consultants had visited northern Thailand, where mimosa was taking over vast tracts of land and encroaching into water reservoirs used for irrigation and hydro-electric power generation. The Thais and the Americans sought help from anyone with knowledge of the plant. We did not have a solution to the problem but we had already embarked on a biological control program. This led to our participation in an international symposium on mimosa held in Thailand in 1982 and, subsequently, a joint research program on the weed.

It is often asked whether mimosa can be used for anything. It was purposely introduced into Thailand in the 1960s as a green manure and cover crop in tobacco plantations and to prevent ditch bank erosion. It is also used as fire wood, for bean poles and temporary fences. However, it rots very quickly. Samples of experimental fibreboard have also been made with it, but the amount of chemicals required to prevent absorption of moisture means that it is not price-competitive with other timbers. Leaves have been used as animal fodder in Thailand. It has been observed to be nibbled by horses, buffalo, cattle and goats. Despite these uses, human population pressure is not sufficient to control mimosa even in Thailand, a country of over 50 million people in an area less than half the size of the Northern Territory. Mimosa is considered to be one of Thailand's most devastating weeds.

It is an understatement to say that mimosa is not an easy plant to control. It possesses many characteristics of the ideal weed. The height, the prickly nature of the plant and its choking growth make access to infestations difficult. The plant grows rapidly, flowers quickly and seeds throughout the year under favourable moisture conditions. It produces large quantities of seed, many of which remain viable for periods which, we believe, exceed 20 years. The seeds float readily on flood waters and hence it is very rapidly spread. The plant is both flood and drought tolerant.

Shortly after self-government in 1978, a departmental report highlighted the mimosa problem to the then Minister for Industrial Development, Roger Steele. This marked the turning point in our approach to the problem. The report stated that: 'In the near future, the whole of the Adelaide River floodplain in the vicinity of the Arnhem Highway will be covered with an impenetrable thicket of mimosa. It will not be long before mimosa is located on the river systems and plains east of the Adelaide River. This will affect the potential of the pastoral, agricultural and tourist industries in the area'. The report also highlighted biological control as the only effective long-term solution. Roger Steele was flown over the area to see the problem first-hand and, in the following financial year, the Territory government provided funds for the commencement of the biological control program. Fortunately, we were able to obtain the services of scientists in the CSIRO Division of Entomology, world leaders in the field of weed biological control.

In early 1980, the search for natural enemies of mimosa commenced in its native range. Insects were collected in Brazil and later the search was extended to Mexico where the work is still concentrated today. So far, 3 varieties of insect have passed all quarantine tests and have been released in the Territory: 2 seed-feeding beetles and a foliage feeder. To date,

there has been no visible impact on the weed. The seed-feeding beetles infest only a very low percentage of the seeds and the foliage feeder has remained at low population levels.

But, we must not lose faith in biological control. We must be patient. There are many more potential biological control agents for mimosa at various stages of testing. Biological control is the only long-term and cost-effective solution and it takes time for the research to be carried out. For example, the well-publicised and successful biological control program on prickly pear did not happen overnight. It involved 22 years of continuous research. It takes time to collect the insects in a foreign country, to learn to rear them in captivity, to put them through exhaustive quarantine testing and then, if they prove to be specific to mimosa, large numbers need to be reared for release in the field. It then takes time for field populations of the insect to build up.

Initially, the Northern Territory government bore a large part of the cost of this program. The Commonwealth, however, is assisting through the use of its scientists and facilities. Additionally, since 1984, the Australian Centre for International Agricultural Research has been a major contributor, allowing for a substantial increase in the scope of the work. The latter organisation became involved because of the mimosa problem in Thailand. Funds are provided to CSIRO, the Northern Territory and Thailand in a joint effort to solve the problem. The project involves research into both biological and chemical control and development of management strategies.

Of course, the biological solution to the mimosa problem may not lie with 1 species of insect. It may need a combination of several species. There are 2 stem-boring insects in quarantine which, we hope, will be released this year if they pass all the tests. So far, all insects have been quarantined at the CSIRO laboratories in Brisbane. One problem is, however, that mimosa has difficulty flowering there. Similar problems are experienced with the native plants that are included in the quarantine testing. The only feasible way to overcome these problems is by the establishment of an insect quarantine facility in Darwin. The government has therefore provided funds this year to ensure that a facility is established at the Berrimah Research Farm.

Although we are placing considerable faith in biological control, we cannot become complacent about its possible success. Biological control does not always produce the same level of effectiveness for all weeds. The best we can hope for is a reduction of the plant population to a level at which it is no longer a problem. Because of this uncertainty and the long-term nature of the research, chemical control is continuing. If this was not occurring, we could be in a much worse situation than already exists. Chemical control is aimed at the small isolated infestations in the Moyle, Daly, Reynolds and Mary River systems. Mimosa is also being kept away from roads near the Adelaide River. The aim is to slow its spread. These small infestations can vary from 1 plant to 1000 ha and many areas are sprayed from the air. Mimosa could pose a serious threat to Kakadu National Park and we were fortunate that, at the time of its declaration as a park, no plants were known to occur there. Since 1981, small infestations have been found but it is pleasing to see that the Australian National Parks and Wildlife Service is undertaking control in an effort to keep the wetlands free of mimosa.

Concurrent with chemical control, research is being undertaken to find more cost-effective herbicides and other methods of control, such as the use of fire and competitive pastures. Mimosa does not burn easily but killing it first with herbicides does help. This integration of different control

methods is important. The success of biological control may depend on its interaction with these and other pressures. The cost of chemical control on pastoral leases is being shared by the Territory government and landholders. The Department of Industries and Development is also coordinating control of Crown Land with the Conservation Commission and the Department of Lands and Housing. In 1986, the government established an aerial spraying assistance scheme for mimosa. Landholders are reimbursed half the cost of the herbicide and the cost of application. In some key infestations, control is being carried out free of charge. Last year, this scheme cost $160 000 with a further $155 000 being spent on the biological control program. When the costs of staff are included, plus the input by the Commonwealth, the total annual cost of research and control of mimosa is about $1m.

Mr Speaker, you may ask why we cannot allocate more funds and spray the major infestation on the Adelaide River. This would cost more than $2m for a single spray and we would need to repeat spraying indefinitely. Chemical control is not a one-off operation. It must be followed up to reduce the residual seed bank. If not, the infestation would quickly return, and I remind honourable members that the seeds may remain viable for more than 20 years.

The control strategy designed by the Territory government is the correct one - biological control combined with chemical and other methods of control. This approach has been confirmed by visiting weed scientists as offering the most logical and cost-effective solution. However, there is an aspect of this whole problem that concerns me deeply. This is the fact that there are infestations of mimosa on Aboriginal land where little or nothing is being done. The Daly River Aboriginal reserve, Wagait and Arnhem Land are all under threat.

A major infestation covering 2000 ha exists near Oenpelli, with isolated plants scattered over the floodplain, just across the East Alligator River from Kakadu. Kakadu and all the river systems in Arnhem Land are threatened by this infestation. My department is formulating plans with the Northern Land Council and the Australian National Parks and Wildlife Service to solve the problem.

Mimosa is not the only problem weed in the Northern Territory and I intend to cover other weeds in a comprehensive statement to this House at the next sittings. However, the devastating effects of mimosa give it the highest priority in the government's weed program. The Territory government, the Commonwealth government and the land councils must be committed to work together to prevent the impending loss of our wetlands. I move that the Assembly take note of the statement.

Debate adjourned.

MINISTERIAL STATEMENT
Mining and Energy in the Northern Territory

Mr COULTER (Mines and Energy): Mr Speaker, last week honourable members devoted considerable time and energy to a prolonged debate on the Northern Territory's economy. Many different views were expressed and arguments advanced about the state of various components of the economy. On one matter, however, there was no argument at all: the vigorous growth of the mining and the petroleum industries and their importance to the Territory and all its citizens. It is timely, therefore, to outline for the benefit of all honourable members an up-to-date picture of the mining and petroleum

industries, a snapshot of what is happening today and what will be happening in the near future.

It is a good news story in anybody's language, in terms of the multiplier effect in the local economy, business for local suppliers, employment for local people, revenue for the Territory and federal governments, and export earnings at a time when they are critically needed. Gold is now Australia's third-highest export earner, and this fact is reflected in the continuing boom in Territory goldmining. Of 125 major goldmines in Australia, the Territory's Granites and Pine Creek mines currently rate seventh and twelfth respectively in volume of gold produced. This production was worth $30m in the December quarter. These are only 2 of 23 goldmines that have come into production in the Territory over the past 7 years, 16 of them in the last 2 years. These are in addition to the numerous small prospectors' shows.

The latest to come into production was the Tanami mine, opened by the Mt Bonnie Gold Unit Trust last November, with reserves worth $200m. Seven of the mines have now been worked out, but their places have been taken by 9 substantial new operations, 4 of which are in the development stage and 5 in the drilling and planning stage. One of these is Dominion Mining's Woolwonga deposit, 23 km east of the Cosmo-Howley mine, which will almost double the company's reserves. On the strength of this, the company has let a $16m contract for the construction of a million-tonne-a-year treatment plant.

Western Mining's $280m Goodall Mine is ready to begin treating ore, while Enterprise Goldmines and Eastern Gold are both in the advanced stages of planning to open up deposits in the vicinity of Union Reef. Near Mt Bundey, Carpentaria Explorations is well into planning its Tom's Gully operation, as drilling continues on the substantial gold deposits there. Other new projects are scheduled to begin development this year at Moline Dam which is a joint venture between Cyprus Gold and Greenbushes, and the underground portion of the Golden Dyke Mine which is operated by the Mt Bonnie Gold Unit Trust.

At Coronation Hill, BHP's joint venture project continues to advance through the planning stage with drilling continuing to assess reserves of gold, platinum and palladium. A preliminary environmental impact statement has been produced, but the final statement is still being drafted. These are all Top End developments.

It is encouraging to see activity in the south at Arltunga. On the edge of the historical reserve, White Range Goldmines has delineated a gold resource which it hopes to begin mining later this year. Incidentally, this is the first significant result flowing from the government's changes to legislation and the consequent administrative arrangements made between the Department of Mines and Energy and the Northern Territory Conservation Commission for controlled exploration and mining in Territory parks and reserves. These arrangements, which are being implemented over the whole of the Northern Territory, are working well due to the cooperation between the department and the commission. This will allow for positive exploration over a larger area of the Territory and development of mineral resources without jeopardy to the environment. Particularly sensitive environmental areas and sites of spectacular beauty will be protected as part of the Territory heritage by the creation of reservations from occupation.

Considerable exploration effort has been expended in the southern areas in recent years and the potential has attracted at least 4 companies to set up exploration offices in Alice Springs to supervise their substantial exploration expenditure. In addition to Arltunga, old goldmining areas are

receiving steady attention - for example, Mt Chapman and, in particular, Winnecke, where diamond drilling is being done to test the depth of gold-bearing areas known for their surface yield. In addition, BMR research on rocks previously collected in the Territory has highlighted other areas with potential for gold, and explorers are checking old copper mines as possible sources of gold. In the Kurinelli area, north of Hatches Creek, there have been several new gold discoveries.

Further east from Arltunga, the rare-earth mineral, allanite, has been found and exploration will be undertaken to test the feasibility of a mining operation. Platinum, uranium and salt are also being sought or tested in a number of areas. A silver prospect at Arltunga is being test drilled. A large deposit of vermiculite is being tested at Mud Tank. Gemstones in other areas are becoming the object not only of fossicking but also of small-scale mining.

Tennant Creek is also having its share of the action. The uncertainty felt as to its mining future over the past few years has been much relieved recently. Not only is gold continuing to boom but copper prices are at last returning to the point where mining of that metal can be envisaged again. In anticipation of this, Peko Wallsend has begun refurbishing the Warrego gold-copper mine for copper mining after years of mining only gold. It expects to begin this in March. At the same time, it has begun dewatering the Gecko copper mine and will take a decision at the end of March as to whether it will go ahead with mining there. Regardless of that issue, the decision has already been made to process the tailings from the Warrego mine, estimated to contain over $60m worth of gold. The company will spend $4.8m on a carbon-in-pulp plant to treat them. A similar exercise is being studied for the treatment of the tailings at the old Peko mine. The rest of the company's resources in the Tennant Creek field are also being re-evaluated.

Tennant Creek's original big producer, Australian Development, continues to do well. After having worked out the Nobles Nob deposit, from which over 32 t of gold were produced, the company is using a newly-commissioned floatation plant at the Nobles Nob mill to process ore from the highly successful White Devil Mine, producing each month gold worth over $1m. Although the deposit is being still further evaluated, it is set as a profitable producer for 4 or 5 years at least.

To summarise our gold developments, we should look not at the increasing value of production which is reflected in the 50% rise in gold prices but at the production figures themselves. These have roughly doubled each year from 2000 kg in 1985 to 8500 kg in 1987. The values, of course, sound even more spectacular, increasing sixfold from $30m in 1985 to $176m in 1987.

But the glister of gold should be kept in perspective. Of far greater value in the Territory are its world-class uranium, bauxite and manganese mines, whose combined output was worth over $750m last year. In fact, it was only last year that saw the value of our total gold production for the first time outstrip the value of that humble mineral, manganese. From the preliminary figures so far available, it appears that the value of production of all minerals in 1987 has for the first time reached $1000m. When we add the value of our petroleum production, the preliminary total comes to $1250m. Looking further to expected levels this year, the 1988 value of mineral and petroleum production should be well in excess of $1350m.

Because of the sometimes fairly intense activity on the goldfields, the number of applications received by the Department of Mines and Energy for

exploration and mining tenements has continued throughout 1987 at a very high level. Staff at times have felt run off their feet in trying to cope. To make the exercise more orderly, the department organised a small task force last August to try to clear the backlog of older applications by the end of the year. It has largely done this. In August, the number of mineral claim applications still outstanding from before 1 January 1987 was 375. That figure has dropped to 26. The number of exploration licence applications in the same category was 163 and that figure has now dropped to 31. Most of the remainder are in an advanced stage of processing and many of these are awaiting further necessary information from the applicants. These figures represent what we call 'determinable applications'. They can be finalised. There are a number of other applications which, for one reason or another, cannot be legally finalised as yet.

Along with the goldmining scene, energy resources development is continuing apace. This year, at least 15 offshore wells are to be drilled in the Timor Sea and Bonaparte Gulf, equalling the number to be drilled in all other Australian offshore areas in 1988. To do this work, up to 4 deep-sea rigs will be operating during the year - more than our waters have ever seen before - and Darwin will be used as their servicing port. In direct employment, this has already meant some 86 new jobs in Darwin and will mean about that many more as other rigs arrive, plus an additional 250 when the normal multiplier effect is taken into account. That will mean a total of over 400 new jobs in Darwin as a result of the operation of these rigs.

Expenditure this year on offshore exploration, development and production will be in the order of $320m. Increasing this momentum, more offshore areas are being opened to exploration. In March, 2 of these will be awarded to the successful tenderers. One of them, a sought-after area east of NT-P40, is considered quite prospective for a larger-type reservoir. A further 6 offshore areas are to be gazetted in March and August as available for application.

Onshore petroleum exploration will increase this year. Three exploration permits have been offered to successful applicants east of Tennant Creek in the Georgina Basin where interest is quite high due to the reported occurrence of oil, confirmed by the Department of Mines and Energy's own drilling program. Another exploration permit has been granted south of Alice Springs. At least 4 conventional petroleum wells and 6 or more holes for geological information will be drilled this year at a cost of $8m.

Development of existing discoveries will see the Jabiru offshore field expanding production in March-April from 29 000 barrels up to a possible 60 000 barrels per day, to be joined by the Challis field coming on stream next year at 24 000 barrels per day. Challis is now in the detailed engineering design phase and we have awarded a production licence for that field. In the south, the rate of gas production from the Palm Valley and Mereenie fields will be increasing during the year.

The value of production in the Northern Territory and in its administered waters this year could exceed $350m and the offshore activity in drilling, development and production should increase employment in Darwin by about 500 persons. Indicative of this is the comment from one of the offshore operators that a surprising number of oilfield suppliers have opened offices in Darwin. Also surprising was the number of local businessmen, far in excess of our expectations, who attended the suppliers' seminar, run last October by the Department of Mines and Energy, where the oil and gas industry and the mining industry outlined their requirements. This augurs well for the Darwin

suppliers and contractors. One of these, for example, has been awarded the contract for extensive engineering work on the Jabiru Venture to be done before the vessel goes to Singapore for more extensive refitting later in the year.

Mr Speaker, I am confident that the increasing level of offshore activity in 1988 will see us further on the path to establishing Darwin as the recognised service port for all the offshore waters of northern Australia. I move that the Assembly take note of the statement.

Mr LEO (Nhulunbuy): Mr Speaker, I would like to thank the honourable minister for an advance copy of this statement. Advance copies are much appreciated by members on this side of the Assembly who have a responsibility to reply. I would like also to indicate that the opposition welcomes this statement. It contains a wealth of information that I am sure all in the Northern Territory will appreciate.

I am sure that the details of the statement are accurate and it lends the Northern Territory some degree of quiet confidence about the future of its mining industry. It is becoming clearer that the mining industry can provide the Northern Territory with real economic impetus. Certainly, that must be encouraged and appreciated by all persons in the Northern Territory. It certainly is appreciated and encouraged by the opposition.

The statement in itself certainly was far more cautious than those made by the minister last year. It does not have the same gung-ho enthusiasm with 44-gallon drums of gold being pulled out by the hour and all that sort of stuff. It does indicate, however, that the Northern Territory can expect to have a real future whilst the mining industry continues to develop here. The statement is essentially self-explanatory but I would appreciate, at some stage in the future, statements from the Minister for Health and Community Services and the Minister for Industries and Development concerning their roles in the development of the mining industry.

I went to a seminar last year which was hosted by the Department of Mines and Energy. It was certainly very beneficial. Hundreds of people attended and there were numerous discussions, addresses and papers relating to the spin-offs to communities in the Northern Territory which are prepared to become involved in mining activities. I come from a mining town and it disappoints me - as I am sure it disappoints all honourable members - to see the extent of goods and services which are supplied from outside the Territory to mining companies operating here. That, I am sure, is largely the fault of local enterprises. They need to market their products in mining communities, using a variety of methods. If any minister can assist in that process, I am certain it will be to the long-term benefit of the Northern Territory. I therefore ask the Minister for Industries and Development on some future occasion to address in this Assembly the specific matter of supply of goods and services to mining communities and the broader role that mining can play within the Northern Territory. Rather than simply enumerating specific isolated mining developments, we need to consider the broader roles that mining can play in our development.

I would also ask the Minister for Health and Community Services to make some future statement concerning the role of his department in developing mining communities in the Northern Territory. As I said before, I come from a mining town. Such towns have specific and very special social problems. The population tends to consist of nuclear families - mum, dad and the statistical 2.7 kids - and that results in specific social problems. In the case of

domestic disputes, for example, there is generally no uncle, aunt, mum or dad for persons to turn to. There is generally very little in the way of social support for families and, therefore, the Department of Health and Community Services has a special role. The fact that children comprise a large percentage of the population means that health needs are different to those of other communities. The various unique social problems of such communities are very real and very important and I would certainly appreciate the chance to hear a statement from the minister in relation to them.

If the needs of people in places like Nhulunbuy are ignored, those people feel no commitment to the Northern Territory. I can say quite confidently that the majority of the people of Nhulunbuy feel committed to almost anywhere in the world apart from the Northern Territory. That is a great shame because inevitably, when they leave, their savings are removed from the Northern Territory. Their children, and whatever expertise their children may have developed, leave with them. That is a real shame for the future development of the Territory. I hope that more of the people who are involved in mining activities within the Northern Territory can, in a real sense, become a more contributing part of the community of the Northern Territory.

With those few words, Mr Speaker, I would once again like to indicate my appreciation of the minister's statement. I hope that, in future, the issues of mining will be pursued by both sides of this House in a more positive, productive and - dare I say - a more bipartisan spirit. I am sure that that will benefit the entire Northern Territory because I know that everybody in this House can make some contribution to the debate.

Mr HARRIS (Port Darwin): Mr Speaker, I welcome the statement from the Minister for Mines and Energy. We would all acknowledge that the present economic scene in Australia is not as good as it might be and that there are real problems. We in the Northern Territory are fortunate to have a government that is interested in encouraging business and companies to develop and set up in the Northern Territory.

The government does this in a number of ways. Firstly, it endeavours to reduce regulation. We have all heard comments in the past about the mining industry being the most overregulated in the country. We have also seen the government trying to make it easier to process certain mining applications. The minister's statement referred to the reduction in time for the processing of mineral claims. That is the sort of action that the government is implementing in order to encourage people to get on with the job and also to try to create a better environment for development.

The government has also held seminars and the results obtained from those seminars have been most encouraging. In the course of a debate held on 25 November 1987, the minister referred to a seminar which was held in the preceding month of October:

> At the suppliers' seminar recently, which I conducted in the Northern Territory, 260 people attended and more were turned away. As a result of the seminar, orders for Darwin businesses, such as meat supplies from Meneling abattoir, pallets, etc, have been placed. Sedco 4 reports that it has been inundated by business offers from Darwin suppliers in the 2 weeks following the seminar.

Thus, there is no doubt that such seminars are good for the community and offer locals the opportunity to lift their game. That is the main point that I want to speak about and I am glad the member for Nhulunbuy touched on it. I

want to talk about the general spin-offs. It is very important that we take the opportunities that are offered to us. We must remember that the impact on the economy results not only from the mining process itself, but also from the supply of goods and services to the mining companies. It is an area in which we have fallen down in the past and we should ensure that we do not allow that to happen again. I recall it being said at the October seminar that goods worth $75 000 were provided to the mining companies here from Western Australia and that those goods should have been supplied from the Northern Territory. There is no doubt about that. The reason local business could not do it was because a professional approach was lacking. We have the ability to do it, but no one seemed to be prepared to package proposals and it is most important that we do that.

Let us look at 2 areas which demonstrate the potential. The purchase of goods and services since Ranger became fully operational has required expenditure of some $40m. Of that $40m, 44% has been spent in the Northern Territory and the major part of that, about 28%, has been spent in Darwin. There is no doubt that that company has had a major impact and that many Darwin-based firms and individuals supply goods and services to Ranger. There are about 350 companies involved and 20 of them provide at least $50 000 worth of goods and services each year to Ranger.

At the time of the seminar, the Groote Eylandt Mining Company held something like 20 000 line items valued at $9m. I will read from a paper presented by a speaker from the Groote Eylandt Mining Company at the Suppliers Step Ahead seminar on 21 October:

> In an average 12-month period, we place orders for 40 000 line items. Of these, 26 500 are placed by our Brisbane purchasing office and 13 500 are placed direct on Darwin suppliers from Groote. The total value of orders placed per annum is approximately $22.5m, with $14.5m being processed through the Brisbane office and $8m from Groote Eylandt.

Mr Speaker, both the companies that I have just mentioned have policies which relate to purchasing, wherever possible, from the local community. I believe that, if we are able to provide a professional approach and to be competitive in price, we will definitely be able to benefit from these companies. I challenge the local people to lift their game and provide the services that are required by these particular companies. The business is there for the taking. The news that we have received in relation to the future of the oil and gas industry and the mining industry is really exciting and we should ensure that we capitalise on it. We should take full advantage of something that has been handed to us on a plate. That will happen provided we get our act together and develop that professional approach and look to making our prices competitive.

The statement is really good news for the Northern Territory and, as I said, I hope that the local people who are in the business of supplying services pick their game up a bit and seek to realise the tremendous financial gains that are sitting on our doorstep.

Mr BELL (MacDonnell): Mr Speaker, I want to make a couple of brief comments on this statement. Unlike the shadow minister for mines and energy, unfortunately I was not able to see the statement before it was presented to the House, but I listened with interest to what the Minister for Mines and Energy had to say. There are 2 particular comments I want to make in relation to matters that impinge on my responsibilities as member for MacDonnell.

I think that all the developments in central Australia that the minister referred to are within my electorate. I have endeavoured to keep myself as well informed about these efforts and the enterprise involved, as I do about other issues that impinge on my responsibilities as the local member. The minister briefly mentioned gas production from the Palm Valley and Mereenie fields. He indicated that production would increase this year. I do not think he mentioned the petroleum production at the Mereenie field but I think it is appropriate that I make a couple of comments about that.

Last year, I was fortunate to be able to enjoy the fruits of a briefing provided to the then federal Minister for Mines and Energy, Senator Gareth Evans, provided by the joint venturers at Mereenie. I listened with a great deal of interest to what was said about the likely impact. The senior figures in the joint venturer firms outlined for the federal minister the impact that they would have on the development of the field. Unfortunately, at such short notice, I am unable to outline in great detail the varying issues involved with old and new oil and so on as they impact on the development of the field. However, Mr Speaker, having such an intimate connection with one of the joint venturers, I am sure that you would be aware of the importance of ensuring that the resource is developed in the most appropriate way and that there is a close relationship between production schedules and the royalty regime that may be placed on a particular enterprise. A particular royalty regime may act seriously against the interests of the people of the Territory and the people of the nation if particular parts of the resource are developed in the interest of short-term profit but not necessarily to develop the long-term possibilities in the most appropriate way.

I am aware of the complex interrelationship between the private and public sector in this regard and of a further complexity which arises in respect of the Mereenie field. That is, of course, that much of the Mereenie field is on Aboriginal land and that royalties flow to many of my constituents and associated organisations. These, of course, do so under the terms of the Aboriginal Land Rights Act, according to which royalty equivalents are paid. I am aware that organisations like the Ngurratjuta Association and the land councils have written to the government about the method the Northern Territory government uses to account for royalties. I would not be doing my job if I did not place on record, in the context of a statement such as this, my concern that the calculation of such royalties should be carried out appropriately. I will not go any further into that issue at this stage but I believe that it is appropriate to note the obvious positive impact of the payment of those royalty equivalents and their equivalents tied to the royalties raised by the Northern Territory government on communities in my electorate.

Had I known that the statement was to be delivered, I would have been able to provide more detailed information for the benefit of the Minister for Mines and Energy in relation to the second issue I wish to raise. On page 4 of his statement, he referred to the efforts of White Range Goldmine near Arltunga.

Mr Collins: Its shares have been going up.

Mr BELL: To pick up the interjection from the member for Sadadeen, I think a million 50¢ shares were issued.

Mr Collins: It was 20¢ originally.

Mr BELL: I express my appreciation for the information from the member for Sadadeen. The shares rose fairly sharply but have settled back.

Mr SPEAKER: Order! The honourable members will address their remarks through the Chair.

Mr BELL: I understand that there has been considerable fluctuation in the value of those shares, but I am unable to advise the Assembly about the implications of that for the development.

The issue I wish to raise in respect of the White Range development relates to the comment of the Minister for Mines and Energy that the Arltunga development was consequent on the administrative arrangements between the Department of Mines and Energy and the Conservation Commission for controlled exploration and mining in Territory parks and reserves. I noticed that the minister went on to refer to the White Range mine being on the edge of the national park in the area. My information is that it is in the national park. The minister went on to say that these administrative arrangements are working well as a result of the cooperation between the department and the commission. I have received representations that the cooperation between the department and the commission has been regarded, in some quarters, as being a little too cosy. As I said, I am unable to provide documentary evidence at this stage but I understand that the National Trust, which has experienced considerable concern about some of the heritage aspects of the Arltunga Reserve, has made representations to the government in this regard.

I would very much appreciate some comment from the Minister for Conservation, in the context of this statement, as to the nature of those representations. I draw to his attention once again that the Minister for Mines and Energy has said that the arrangements are working well due to the cooperation between the Conservation Commission, for which he is responsible in this Assembly, and the Department of Mines and Energy. I think it appropriate in the context of this statement that the Minister for Conservation should make his position clear and give some details of the representations he has received.

Mr Speaker, we are getting very close to the luncheon adjournment now, and I am sure there will be ample time for the Minister for Conservation to wake from his reverie and prepare himself to provide some information to this Assembly.

With those 2 points, I conclude my comments. I hope they are regarded by the minister as constructive ones representing the interests of constituents in my electorate and, more broadly, the interests of appropriate development in the Northern Territory.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to make some comments and generally to support the statement made by the Minister for Mines and Energy this morning. It would have been helpful to have had a copy of it beforehand but, as we have become accustomed to flying by the seat of our pants, I guess I will make a fair show of it again this afternoon.

The content and the tenor of the statement is very encouraging for Territorians but again I would raise the issue of building the Territory up on hype. All the things the minister said about the gold industry were true and our prospects look pretty good. But I can say to the minister, on the basis of my experience working in and with the gold industry for a long time, that it is a very fickle industry. Although it might be bringing great benefits

today, it could be gone from underneath our feet in a very short time. We should never lose sight of that fact because it is one of the realities of the mineral cycle.

Members would remember the big announcement during the final sittings of last year concerning a large gold strike in Tennant Creek and the untold wealth that was to come to the Territory as a result of it. It turned out to be a barrel of dirt on somebody's block and it was worth nothing. A fall in the price of gold, a revaluation of the dollar or a federal tax on gold could put the gold industry in a pretty precarious position overnight. At the moment, we are going well, and good luck to everybody who is making a dollar in the gold industry, particularly the Territory government if it is getting its 18% royalty or whatever figure was agreed upon.

The minister raised 2 other pertinent points. He touched on the production of oil and gas both onshore and offshore. We are at a stage where not only the Territory but Australia generally needs to look at the way we are moving to tax these industries. The resource rent tax proposals by the Commonwealth for onshore oil and gas fields - and I have no doubt that, ultimately, it will get its way - will be injurious to the onshore oil and gas industry because they will be drawn up on the basis of the large fields. Small fields such as Mereenie and Palm Valley will be hit hardest because they are farthest from the markets and their production is more expensive. The general factors that make an oil or gas field attractive are not as attractive in the centre of Australia as they are on the coast. The Territory must keep fighting and reminding the Commonwealth that the proposals it has in the back of its mind for implementing an RRT on the onshore oil and gas fields will hurt the Territory more than anybody else. Rather than hurt the Territory's production and its capacity to raise revenue, it will damage our capacity to maintain exploration levels which is really where the future lies.

I would now like to touch on the offshore potential for the Northern Territory. The minister intimated in his speech that the offshore oil producers would be producing 60 000 barrels a day in the near future. We all know that our potential to produce gas in the Tern and Bonaparte fields is quite considerable. However, what is of great concern is that the Territory does not receive one penny from any of that production. We are discriminated against more than any state in Australia in that regard. Victoria and Western Australia receive considerable local revenue for their state coffers from their offshore platforms.

When the Northern Territory's fields were brought into production, the Commonwealth moved in and swooped - as it did with uranium production - and took all the returns itself without a cracker for the Territory. We should at least be treated equally with Western Australia and Victoria and be allowed to receive revenue at the lower end of the tax scales. It is totally unreasonable to disenfranchise the Territory as the Commonwealth has done and to deny us the right to have any income at all from those offshore fields. This is another reason why the Territory should be moving towards statehood and I raise it in that context. In the fight for statehood, we have to ensure that we have the right to obtain some revenue from our offshore oil and gas platforms. If we cannot do that, statehood will be pretty hollow.

The matter I wish to raise for the minister's benefit relates to the prospects for the McArthur River silver, lead and zinc project. We are all pretty well briefed about what is likely to happen there. We keep hearing stories about the great things that will happen in the Gulf, and we all would like to see that. What we really need, however, is not a lot of hype, but a

plan which sets out how and when things are to happen so that we do not build up a false expectation among people in small communities that great development is just around the corner. It is time that the government or the company said that the earliest prospect for McArthur River to develop is 1996, 1998, 1990 or whenever. People need accurate information so that they do not develop false hopes for the prospects of their communities. Many people plan and invest on the basis of newspaper stories that indicate that there will be a big bonanza around the corner when a project opens in a few years' time. That is quite misleading and often causes some people embarrassment.

Generally, I would like to endorse the minister's remarks about the projects in Tennant Creek. There is no doubt that Tennant Creek never ceases to amaze even the most hardened critics of the mining industry because it keeps on coming back. Of particular interest is the White Devil development that is occurring at the moment. I could name a few people, including the former Administrator, Jock Nelson, who did quite a bit of work on the Orlando, Black Angel and White Devil leases in the 1930s. Many large companies drilled that project until it looked like a Swiss cheese and they all walked away and said there was nothing in it. When I worked for Geopeko in the 1950s, I can recall that I split quite a bit of White Devil core. We took it all to the rubbish dump because it was not worth even holding in the racks. As it turned out, it will be one of the great goldmines of Australia.

That is the way it goes with goldmining. The new technology that is enabling companies to treat again sands of the past is very good. In the early days, when the recovery was done with the amalgam system and later with cyanidation, much gold was lost in the tailings and nobody knew that better than the producers who were crying to see it go into the slime dumps. Those days are gone. It is possible now to recover almost 100% of the gold that is in the ore. The new technology that is being implemented by Peko-Wallsend in the dumps around Tennant Creek is certainly good news in that it will make many ore bodies just that much more prospective in the days ahead - and that is what it is all about.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I do not intend to say very much this afternoon except to acknowledge the very timely statement by the Minister for Mines and Energy. There is no doubt at all that the mining development currently under way in the Northern Territory has had a fundamental impact on the Territory in more than just a mining sense. We hear a great deal about the environmental problems connected with mining and, obviously, that is due to the very noisy people who become involved in the environmental lobby. Unfortunately, at times in the past, we have had problems with environmental damage to areas that have been mined but, under present schemes, the existing mines in the Northern Territory are clearly very well-controlled and the environmental aspects are very thoroughly considered. I do not think there is a mine in production at this time, or envisaged in the Territory, that we need have any fears about.

The main point I would like to raise this afternoon concerns the opportunities for people which arise as a result of mining. The member for Port Darwin raised this issue this morning with regard to business opportunities for people close to the towns and cities. Companies like Tristar, Steelcon and others are now becoming very much involved in the mining industry and the opportunities which it offers.

The aspect I wish to address in particular is employment opportunities in the mining industry, especially in relation to the needs of Aboriginal people.

I am sure that the Minister for Mines and Energy will do everything in his power to ensure, where mines are established on or near Aboriginal land, that employment opportunities for Aboriginal people will be taken into consideration. Certainly, my department will be watching that aspect very closely

Recently I have spent a considerable amount of time moving around Aboriginal communities outside my own electorate, discussing employment opportunities with the people. One possible area of employment is in the mining industry. In some cases, Aboriginal people have machinery which is quite adequate for some mining activities even if it is simply the removal of overburden. Aboriginal people could become deeply involved and that is something I would encourage them to do.

The member for MacDonnell made some comments about mining close to Arltunga. When I visited the area about 18 months ago, I was very pleased to see mining getting under way there. I was Minister for Conservation at the time and saw the mixture of the old and the new with the redevelopment of an old mining township right beside an active mine. There is significant potential for tourism in that. We should not forget about the significance of mining in relation to tourism. Mines are a significant tourist attraction and, in the allocation of extra money for the marketing of tourism in the Territory and the development of new venues, we should remember the place of mining.

I do not believe that our environment is endangered by mining. Our controls on mining are second to none and I strongly applaud the statement of the Minister for Mines and Energy and the activities of miners here in the Territory.

Mr EDE (Stuart): Mr Speaker, I was interested to hear the Minister for Labour, Administrative Services and Local Government say that he encouraged the involvement of Aboriginal people with the mining industry. I am sorry that he limited that to the removal of overburden but I will give him some good news. The Yuendumu Mining Company is doing an excellent job in ensuring Aboriginal involvement in the mining industry in the Yuendumu area. As you know yourself, Mr Speaker, the Yuendumu Mining Company has been operational for a number of years. It has had some problems in its involvement with the various uranium operations around the Ngalia Basin and west of Yuendumu where, quite apart from any difficulties with regard to the positions taken by both parties at the federal level, it has been unable so far to prove up more than two-thirds of the amount of uranium oxide that would be required to put together a proposal for a mine.

However, with the changes in the price of gold and the new techniques that are now becoming available, the Yuendumu Mining Company has had a new lease of life. It has taken up some quite good exploration leases out in the Highland Rocks area which may, in fact, include the fabled Wickham's Find. Mr Speaker, you would recall the story of old Dr Wickham who stumbled out of the desert into The Granites in the 1930s with some very rich nuggets and asked a very young Alex Wilson, who at that stage was working as a kitchen helper with the Chapmans, what he thought about the ore. He said: 'Well, it doesn't come from here'. People were fairly impressed that this young fellow had been able to note the different characteristics of the ore. Wickham confirmed that it was not local but that he had found it in the Highland Rocks. He explained that he had marked a tree. Some years later, during the search for one of the planes that had gone down in the search for the Kookaburra, that tree was found. Ever since, efforts have been made to relocate it and, recently,

various diaries have come to light, possibly giving a lead. It seems quite probable that the Yuendumu Mining Company's exploration licences may cover the area. Everybody has a story about his own el dorado and it is quite possible that ...

Mr Bell: The Minister for Mines and Energy had an el dorado a few weeks ago.

Mr EDE: That is right. I remember it. I believe it was in Groote Eylandt, wasn't it? It would make batteries or something.

Various prospects around Willowra and across to Barrow Creek have also come to light and it appears that a new company called 'Aboriginal Gold No Liability' will be launched. The company will have shareholding from various Aboriginal groups, including the Yuendumu Mining Company. It will work on the principle of using Aboriginal people's knowledge of the land to help locate different types of mineralisation. Exploration licences will be obtained and, where enough minerals are proved up, attractive packages for joint ventures with other companies will be developed. That will allow this company and its Aboriginal shareholders to have a very real involvement in the mining industry. One proposal is that Aboriginal people can check areas on their land by using the old method of grubstaking. By panning and the use of metal detectors, a considerable amount of information can be gained to increase the potential value of the exploration licence area for purposes of entering into a joint venture at a later stage.

I believe that is a very worthy road to take. Hopefully, it will allow Territorians to take a greater slice of the wealth generated by the mining industry. The minister said this morning that The Granites, in my electorate, is now the seventh biggest goldmine in Australia in terms of volume produced but it is rather unfortunate that we do not get sufficient benefit from mines in the Territory. The figures show that about 20% of the expenditure on mining in any one year actually stays in the Territory whereas the other 80% immediately goes interstate.

The minister mentioned the Tanami mine although he referred to it as a small prospector's show. I believe that $200m of reserves amounts to more than a small prospector's show. It is interesting to note that the local people already know that the ore body extends for some distance outside the current mineral lease area and could end up being quite substantially larger than is presently thought.

The Granites is quite a remarkable area. There are already indications that the mineralisation does not occur only in one area but is much more extensive, possibly taking in the boundaries of the Canning Basin itself. That would make it one of the heaviest concentrations of gold mineralisation in Australia. People are already talking of the probability of starting a second and a third mine in that area, each mine as large as The Granites. It will be a major industry in my electorate. The point I want to make, and it is something to which this government should direct much more attention, relates to ensuring that a higher percentage of the amounts of money that are put into the development and operation of mines actually stays within the Territory. At the moment, we have an 80% leakage rate with only 20% of expenditure staying within the Territory. The government and private enterprise can work together to develop our economy so that we build that figure up to, say, 40%. That would have a substantial effect on the economy of the Northern Territory and such a substantial effect on the economy of my electorate, Mr Speaker, that you would not recognise the place in a few years.

Mr COULTER (Mines and Energy): Mr Speaker, I thank honourable members for their contributions to debate on what I believe to be a significant statement. I am always amazed at the expertise of members of this Legislative Assembly in relation to mining matters. It seems that everybody has an interest in mining and everybody has the answers and knows the figures but, of course, none of us is out there taking that substantial risk which is involved in mining. The risk capital that has been invested in mining ventures in the Northern Territory is quite substantial.

I did not, as the member for Stuart claimed, refer to the Tanami mine as 'a small prospector's show'. In fact, if he reads my statement ...

Mr Ede: '... in addition to numerous small prospectors' shows. The latest to come into production was the Tanami mine ...'

Mr SPEAKER: Order! The honourable member has had his chance to speak.

Mr COULTER: The statement goes on to describe the Tanami as having gold reserves in the vicinity of $200m. It seems to me that, if you buy books for the members of the opposition or send them statements, all they do is sit down and chew the covers off them. They are not prepared to understand the contents.

The Leader of the Opposition interjected about my statements on potential el dorados which may not have materialised to the degree which was hoped for. Mr Speaker, I can assure you, as I have said in this Assembly before, that confidence in Northern Territory mining and the prospectivity of the Northern Territory is ringing out from every pick and shovel at every mining camp across the Territory today. The Northern Territory is seen as the Alaska of Australia. The Leader of the Opposition does himself no credit at all by trying to put down the mining industry ...

Mr Smith: I was just trying to put you down.

Mr COULTER: ... or myself, Mr Speaker. My contribution to the mining industry, particularly through the exploration discounts which are now available to miners and which allow them to discount up to 150% of their exploration activity against 30% of their mining royalties, has made a tremendous impact on the development of mineral production in the Northern Territory.

Mr Ede: What about your gold tax?

Mr COULTER: Mr Speaker, if the member for Stuart is referring to the profit-based royalties, I can tell him that that initiative has been a first for Australia. It is welcomed by a number of people as being a step in the right direction. Many mines have closed down in Australia because of the impact of government royalties in times of lower base-metal prices. When a mine in the Northern Territory suffers a loss of profits, the royalty paid to the government is reduced. We are in it together on a percentage of profit. That is a big difference in terms of what happens elsewhere.

The member for MacDonnell raised the question of royalties on oil production in his electorate. I am not familiar with the name of the association which was set up on behalf of the people concerned to receive royalties on their behalf. It was doing very well but, when there was no profit, the royalties ceased. There is a valuable lesson there for all of us: when the money is not there, it is not there. It is a hard fact which

the miners have had to come to terms with and, with the profit-based royalty system that we have in the Northern Territory, the government has to face up to it as well.

The member for Barkly raised the issue of offshore royalties. Indeed, the formula for royalty payments on the North-west Shelf and in the Bass Strait area is very complicated. Personally, I believe that both RRR and RRT should be thrown out and we should start again with a different formula and a different base for royalty payments on oil and gas. Given your experience in the oil and gas industry, Mr Speaker, you would probably share the feeling that the current formulas simply do not work. There will be an APEA conference in Brisbane on 21 March. At that conference, I will be pushing for a review of the RRR and the RRT and a more equitable royalty payment from oil and gas producers. The current formulas are ineffective, inequitable and in drastic need of revision. A decent formula needs to be arrived at.

The member for Port Darwin spoke at length about the opportunities available for local businesses to become involved in supporting the mining industry. The confidence that I spoke about will be echoed at the Mining Expo which will be run in Darwin on 11 and 12 May this year. We expect some 800 people to attend what will be the largest industrial exposition ever held in the Northern Territory. People will be coming from Taiwan, Vancouver, Singapore and from all over Australia. That is a significant indication of confidence in the Northern Territory mining industry. Speakers at the expo will provide us with great insights into the mining industry in the Northern Territory. Indeed, many companies will be holding board meetings in the Northern Territory to coincide with the Mining Expo. We will be greatly honoured by the presence of some of the biggest corporate mining companies in Australia to demonstrate their confidence in the growth and wealth of the Northern Territory.

The member for Barkly spoke about hype and the raising of people's expectations in respect of the McArthur River ore body. I can assure honourable members that I have dedicated a considerable amount of my time in the last few years to the development of the McArthur River lead, silver and zinc development. One of the keynote speakers at this year's Mining Expo will be Professor Warner from Birmingham University with whom I had the opportunity to discuss the new smelting techniques and procedures on which he is currently working, together with many of the big industrial leaders in Europe and England. He uses the complexities of the McArthur River ore body as an example of how this new smelting process may be able to meet the many technical problems inherent in the mining of that ore body. He will have the opportunity to visit McArthur River and will travel with me to a board meeting of Mt Isa Mines in Brisbane. The McArthur River project will probably be the subject of a ministerial statement after the visit of Professor Warner. I am sure that honourable members look forward to developments in the near future.

The member for Victoria River spoke about the need for meaningful full-time employment of Aboriginal people on mining sites. Many Aboriginal people are employed at some mines. I refer particularly to the very encouraging involvement of the Jawoyn people in many aspects of the operation at Coronation Hill. At the opening of the Tanami mine, I had the opportunity to meet some of the Aboriginal people who worked there during the 1930s. It was very interesting to hear their recollections of the old Tanami mine. My son also had the opportunity of working down there during his Christmas holidays. I can assure you, Mr Speaker, that it is pretty rough country out there and, especially when people are working 12 hours a day in 45° temperatures, the expertise of the Aboriginal people of the region will be

needed in terms of survival and in terms of discovering the mineral riches below the ground in that region.

As I said, The Granites is the seventh-highest producer among the 125 major mines operating in Australia. The member for Stuart said that about 80% of expenditure on mining in the Territory goes interstate. North Flinders Mines, of course, is a corporation established in South Australia and I am not sure whether that is one of the corporations which is supposed to be bleeding money from the Northern Territory. North Flinders Mines is a subsidiary of TMOC and, Mr Speaker, no one would know better than you that it is the largest corporate owner of real estate in Alice Springs. It owns about 60 houses in Alice Springs. It has a staff retention rate of about 90% and its efforts in the Northern Territory have been a success story. Its expenditure has certainly stayed in the Northern Territory. I know that Geoff Stewart, one of the corporate leaders of the organisation in Alice Springs, is committed to ploughing money back into the Northern Territory, both for further exploration and further development activity in the region.

The member for Nhulunbuy spoke about some of the other facilities that need to go hand in hand with the development of mining. Mr Speaker, if you fly over the Northern Territory and look at some of the country below you, you will form the opinion that most of the country between here and Alice Springs is pretty ordinary. However, one of the things that it is capable of doing is yielding great riches. It offers the future basis for the development of permanent townships and facilities in the Northern Territory.

The member for Stuart often talks about the availability of water in his electorate and the need for it. The amount of money that has been spent on water exploration in the Tanami and at The Granites and the amount of water that is now available is a tremendous boost to his electorate and to the people in that region. Some of the water lines travel many kilometres. I think that the pipeline to the Tanami mine is about 20 km long and permanent water is now available there. Airstrips have been reconstructed. In the old Connellan days, Bernie Kilgariff used a Rolls Royce with plough wheels behind it to design airstrips in that region. We have come a long way since then and the permanent airstrips available today are a tribute to men such as the former senator for the Northern Territory.

Both mines, The Granites and the Tanami, are also a tribute to the confidence and the faith of people in the early days. I think it was Davison, a Welsh miner, who first travelled out to The Granites on a camel in about 1893. There were no birds, no kangaroos, no Aboriginals; there was nobody out there. He might have gone out there for either of 2 reasons: perhaps he really did not know where he was going or perhaps he had a great deal of hard-earned knowledge from the Welsh coal pits, knowledge that enabled him to search for gold at The Granites. It really was a credit to him.

I heard the member for Barkly refer to McArthur River and the people who mined tin there in the early days. In fact, I have been to the site where they used to take tin out in sugar bags on camel trains. Those people had confidence in the Northern Territory. I congratulate the new wave of people who have entered the Territory and I can assure them that, as the minister responsible, I will do everything that I can to promote mining activity in the Northern Territory. I truly believe that it holds the key to our future and that we have yet to scratch the surface of the untold resources which the Northern Territory will eventually yield. The Northern Territory is Australia's Alaska and one day that will be proven. The Leader of the Opposition and the member for Stuart may laugh about the time when we were

talking about gold in 44-gallon drums, but it will happen as sure as God made little green apples. It will happen in the very near future.

The member for Nhulunbuy said that we need to look at other services that are required as a result of mining development. The member for Victoria River can indicate some of the things that have happened as a direct result of mining in the Pine Creek region. We are now entering into negotiations with Renison at Pine Creek for the development of a large recreational lake which will supply a much-needed facility in the Pine Creek area. Only 10 years ago, Pine Creek was approaching ghost town status. Recently, a workshop was opened there with 14 engineers and welders from Mt Isa Mines. A caravan park has opened and there have been extensions to the hotel. The mine there is the twelfth highest producing goldmine in Australia today. The community benefits are enormous. I congratulate Renison for its contribution. In particular, I congratulate Dick Winby, who was an ideal person to be involved in such a project. His community spirit and his love for the mining industry is sadly missed in the Northern Territory. Men like him are required to help us realise the potential we have here.

There will be as many holes drilled in the Timor Sea this year as there will be in the rest of Australia. That is an indication of the confidence that is being demonstrated there. I have spoken many times in this Assembly about BHP's commitment to the region and the fact that it is now spending 50% of its total exploration dollars there. That is an indication of where it sees its future.

I would like to correct a couple of comments by the member for Barkly. The Jabiru Venture is being modified to take up to 60 barrels a day and Challis will produce somewhere around 24 000 barrels a day. Thus, we are approaching 100 000 barrels of oil a day. The Petrel 4 Well in the Bonaparte Gulf has the capability of delivering some 2 million tonnes of LNG a year.

We have not heard the end of the Northern Territory's contribution to oil and gas production. The south-eastern corner of the Northern Territory is a very prospective area. There is the Cooper Basin in South Australia and the south-western Queensland gas fields in that area. It is believed that the area on the Northern Territory boundary is equally prospective for oil and gas. People will be venturing into that region in the near future to realise the potential of the hydrocarbons in that area. Mr Speaker, once again I thank honourable members for their contributions.

Motion agreed to; statement noted.

MATTER OF PUBLIC IMPORTANCE
Freeholding of Pastoral Land

Mr SPEAKER: Honourable members, I have received the following letter from the member for MacDonnell:

Dear Mr Speaker,

Pursuant to standing order 94, I propose for discussion as a definite matter of public importance this morning the following: the government's stated policy of freeholding pastoral land.

Yours sincerely,
Neil Bell,
Member for MacDonnell.

Is the proposed discussion supported? It is supported.

Mr BELL (MacDonnell): Mr Speaker, in the 10 years since self-government, CLP governments have made the Territory a laughing-stock among students of public administration around the country for various reasons. Perhaps one of the most sensational of these in the last 12 months has been the absurd proposal to freehold pastoral land in the Northern Territory. It was dreamt up by the Chief Minister and an attempt was made to justify it ex post facto by the Rural Land Use Advisory Committee which he established. Quite plainly, it is one of the most absurd suggestions in respect of public policy that we have seen for some time. Further, it is one of the most cynical political gestures that I have seen from the Hatton government.

As the member for Nhulunbuy has indicated, the Hatton government is distinctly on the nose. When he reaches the stage of buying off part of the electorate by promising forms of land tenure that would not be countenanced anywhere else in the country, the Chief Minister has reached the bottom of the barrel. There is no doubt in my mind that this government deserves the utmost condemnation for its actions in this regard.

In addressing this issue, one has to select from a considerable amount of material in order to present some of it in the time available. The Leader of the Opposition will refer to issues such as future access to Crown lands and future access by various community groups to pastoral leasehold land. He will refer to foreign ownership, to the problems of restriction on the size of holdings under the Crown Lands Act and to the various community groups who have expressed their opposition to this proposal.

Lest I be deemed to be dealing too harshly with or ignoring the Rural Land Use Advisory Committee, let me assure it that I will be making a submission to it. I hasten to add that I have serious reservations about the composition of that committee and its role. Obviously, its role is to justify a policy decision after the fact. The people on the Rural Land Use Advisory Committee are obviously government stooges. The President of the Country Liberal Party, Mr Grant Heaslip, is chairman of the committee. I do not think the people of the Northern Territory or this Assembly can come to any conclusion other than that he has a deep personal interest in the outcome of the deliberations of the advisory committee. I remind the Minister for Lands and Housing and the Chief Minister, who was responsible for this grubby deal, that the advisory committee exists to give advice and that nobody could accept as objective, advice from a committee so constituted.

I will return later to the actions of Mr Heaslip, to the question of Singleton Station and the issues that were raised in the context of the Warumungu Land Claim. However, I place on record the fact that, although I have serious doubts about the Rural Land Use Advisory Committee's capacities in terms of this matter, I will be treating it seriously. In fact, I have written a 2-page submission. I will refer to some of the issues raised in that submission, issues which will be further addressed by the Leader of the Opposition.

One is the importance to the industry of the form of pastoral land tenure. I believe that this is not a particularly significant issue for pastoral leaseholders. On the basis of my discussions with them, it is not an issue for pastoral leaseholders in my electorate. The other difficulties experienced by the industry are of far greater importance than the type of tenure. This view has been garnered not only by myself from my constituents but is supported by the government's own study into the pastoral industry. I

refer the minister to pages 40 and 41 of the GRM report on the pastoral industry which details the opinions of pastoralists about problems and constraints on the industry. I point out to the minister that the issues which rated most highly among pastoralists were marketing, the brucellosis and tuberculosis eradication program, the problems of isolation for families, the problems of running costs and so on. The question of land tenure came right at the bottom of the list. It is not a highly important issue, as that particular study indicates.

Much has been said about the question of pastoral leasehold. It has been put about, for example, that it would provide a considerable advantage in terms of mortgages, and that pastoral producers would be able to raise greater sums of money on the basis of such tenure. I draw the attention of honourable members to page 47 of the Inquiry into Pastoral Land Tenure in the Northern Territory of October 1980, the so-called Martin Report. I notice that there are a few notable names as well as that of Mr Brian Martin or Mr Justice Martin as he now is. I see that the member for Arnhem was also involved in those deliberations. The committee came to this conclusion: 'There is little, if any, relationship between leasehold tenure, possible alternative forms of tenure and pastoralists' ability to borrow'. It believed that: 'The existing tenure system does not deter investment'. I draw that to the attention of honourable members.

Mr Speaker, what we must deal with is the vexed question of land degradation. There is abundant evidence that freeholding of the environmentally-sensitive range lands of northern Australia could lead to degradation. While the majority of pastoral lessees in the Territory are good managers of the land resource, there is evidence that degradation is occurring and it is necessary to identify the areas where that is so. Not only has this view been put to the Rural Land Use Advisory Committee by the Commonwealth Scientific and Industrial Research Organisation, but the government's own study, the GRM study, comes to this conclusion as well. Although there is a qualification in its wording, page 9 of the introduction to the study contains the following statement: 'There is a lack of evidence that there has been general degradation of the natural resource on which the pastoral industry is based. There are, however, some localised exceptions such as the more fragile ecosystems in the Alice district, some areas on the northern coastal plain and some of the red soil areas of the Victoria River district'.

I emphasise that we are not attempting to suggest that pastoral lessees, as a class, are degrading range lands but the figures given by Mr Hockey in the Warumungu Land Claim were significant. He said that 6 out of about 240 leases were in strife. Given the risks involved with what are referred to in that study as the 'fragile ecosystems' of northern Australia, that is a problem that has to be addressed. It is not being addressed and it needs to be addressed by the government. As far as I am concerned, this trite suggestion about freeholding is certainly not the way to go.

I commend to honourable members who may be interested in this issue, the CSIRO's submission to the Rural Land Use Advisory Committee. I point out that the CSIRO Division of Wildlife and Ecology has been located in Alice Springs since 1952. It has, to quote from its submission, 'a great depth of experience in the management of pastoral lands throughout Australia and worldwide'. The researchers from the CSIRO are able to travel internationally and are people of international repute in their field.

Mr Speaker, I must point out something which is important in terms of the way government works in the Northern Territory. We are a small parliament.

We have a small government with a small public administration. We are very fortunate to have organisations like the CSIRO under the umbrella of the much-reviled Commonwealth government because these people are free to speak out. I know that there are many Northern Territory public servants working in various areas, including this area, who feel constrained not to do so. One needs only to recall the sort of calumny that was heaped on Mr Graeme Hockey when he had the courage to speak out on these issues.

One of the crucial suggestions in the CSIRO submission is that new methods of land monitoring be implemented, along with incentives for good land management. CSIRO's point is that we need to improve the database which is available as a basis for good management decisions. The submission points out that there have been changes to the northern Australian environment and that these need to be quantified. Public policy should not anticipate the availability of such an information base but should wait till such an information base is available.

The CSIRO submission also contains some caustic comments. It says that the 'relevant government legislation which deals with environmental deterioration and soil conservation must be made enforceable'. In the view of CSIRO, an organisation whose objectivity is recognised around the country and around the world, it is not enforceable at the moment. The submission goes on to say that: 'At present, there is no generally accepted definition of what is environmental deterioration'. This government, however, is hell-bent on introducing radical land reforms without adequate consideration of the Australian experience and without adequate information about what is exactly happening to range lands. I believe it must be condemned for that.

A further point that I want to make concerns the effects of freeholding on the provision for Aboriginal reservations under the Crown Lands Act. I have serious doubts about what will occur, given the current confrontations involving traditionally-oriented Aboriginal people who attempt to exercise their rights under section 24 of the Crown Lands Act. I can only assume that, if this disastrous freeholding policy goes ahead, those confrontations will continue. There is no guarantee that the reservations will be maintained. There must be no backdoor attempt to remove the rights of traditionally-oriented people, who earnestly desire to be at particular places on pastoral land in the Territory which form part of their tradition, regardless of their form of tenure. That should not happen anywhere in Australia or in the Northern Territory. I am seriously concerned that the freeholding proposal is an attempt to do exactly that.

I refer also to the interstate precedents in respect of pastoral land tenure; for example, the Pastoral Tenure Study Group that comes under the auspices of the Premier and Cabinet of Queensland. I refer honourable members to the study group report and its summary, considerations and recommendations. In a letter to pastoralists in Western Australia, the Premier Mr Brian Burke said, amongst other things, that the key aspect of the report was the 'recommendation of granting a pastoral lease with continuous use rights rather than a lease with a termination date'. Western Australia is moving towards the current Northern Territory situation of perpetual leasehold. The situation is similar in South Australia.

Mr Speaker, I see that my time is running out and I must choose my material carefully. Honourable members will be aware that the opposition has listed for debate tomorrow a reference to the Sessional Committee on the Environment on a related topic. Much of this information will be appropriate in that context as well and I intend deferring some of my material until then.

I will, for example, discuss the highly contentious issues raised in the Warumungu Land Claim. I do not have time to do it justice today.

In conclusion, I will outline briefly the opposition's approach to this issue and the whole question of non-urban land use. Rather than having a Rural Land Use Advisory Committee that is basically attempting to justify government policy after the fact and that essentially comprises CLP cronies, the opposition is sponsoring a non-urban land use seminar and that is being well received in the community by people in the tourist industry. I am hoping that we will obtain positive responses from the Cattlemen's Association. The mining industry is interested in it. I am hoping that the government and the Aboriginal land councils will participate also. We have titled the seminar Towards Agreement, although we do not expect that that will happen. It will, however, at least provide an opportunity for people to be in one place at one time expressing these points of view rather than having shouting matches in the media. I believe that that is a positive move by the opposition. I trust that it will be endorsed by the government and that there will be participation by the relevant ministers and their departments.

Mr MANZIE (Lands and Housing): Mr Speaker, I do not know quite where to start. I have not heard a greater load of bumf in all my life. Mr Speaker, the ...

Mr Bell: What's this diatribe? Come on, debate the issue properly, Daryl.

Mr MANZIE: I am obviously waiting for something to come up that will provide some information to this House and to the community.

Mr Speaker, what was the subject of this matter of public importance? It was the government's stated policy of freeholding pastoral land. Not once during his whole diatribe did the member for MacDonnell refer to what he believes the government's policy regarding the freeholding of pastoral land is even though it is supposed to be the subject of the debate. He could not even suggest what it was and therefore I do not know what the rest of his speech was about. We heard suggestions that it was something that was thought up in the last 12 months, dreamt up on a whim. If the member for MacDonnell is supposed to be the opposition spokesman on land matters, he might take a look at some CLP policy documents, including the one relating to land. If he has an interest in the subject and wants to know what the government's thoughts on the matter are, he might read it.

As you know, Mr Speaker, the CLP has been a very strong party since 1974. We have a platform that is available. If the member for MacDonnell asked for a copy, I am sure we could provide him with one. And, surprise, surprise, one of the planks in the platform is the establishment of a freehold land system throughout the Territory. That has been in the platform since we started.

And what else do we have, Mr Speaker? We had an election very recently and we issued a lands plan during that election campaign. Part of the lands plan says: 'Pastoral freehold title will be introduced. This will be an innovative development which will give pastoralists the security of tenure but, at the same time, ensure that land use is properly controlled and that mining and mining exploration can be continued unimpeded'. Mr Speaker, we were elected on that platform. It was not something that was thought up as a whim over the last 12 months; it has been party policy for over 12 months.

The member for MacDonnell went on to denigrate the Rural Land Use Advisory Committee, a committee which he might be interested to know was not formed for the purpose of looking at pastoral freeholding. It is a committee that was formed to give advice to government regarding the use of rural land. It has been around for quite a while. It has not been put in place for the purpose of justifying freeholding and it will be around for quite a time to come. He made the ridiculous comment that this committee is biased because the chairman happens to be the President of the CLP. The president happens to be a pastoralist and happens to be a former president of the Cattlemen's Association. Also the committee happens to have, as one of its members, a conservationist who is very well-known throughout the world: Mr Harry Butler. Maybe, if the committee is viewed in another way, it might be seen to be weighted in favour of conservation issues because it has a conservationist member.

The honourable member's logic escapes me! I just can't understand it. Because the committee comprises people who are interested in the subject, there must be something wrong with it. What does he think about the Northern Land Council? It happens to have Aboriginals on it. Should people refuse to listen to comments made by the NLC because they might be biased? How ridiculous! Yet we have to sit here and listen to this sort of thing in a debate on a matter of public importance.

The honourable member then spoke on some points which supposedly were the crux of his contribution to the debate. His first point related to some comments in the Martin Report which concerned mortgages. He ran through it and mumbled that it was not really a good thing.

Mr Bell: It states the issue. Get round to the issue.

Mr MANZIE: Mr Speaker, I will get round to the issue. I am just running through what you said because you never touched on the issue. You have to eat your words and learn, Neil, that there is more to debating than just waffling on.

Mr Bell: You're a great waffler. Look at you.

Mr SPEAKER: Order! The member for MacDonnell was heard in silence. I expect him to extend the same courtesy to the honourable minister.

Mr MANZIE: Mr Speaker, the only comment we have heard from the member for MacDonnell about that was on Territory Extra on 17 December when he said: 'The form of title does not affect the mortgagability of a particular lease but, in fact, the banks are interested in heads of cattle that you have on that particular lease as far as mortgagability is concerned'. That is all very well but, if a person's lease has almost expired and he is seeking a loan, he may not have vast numbers of cattle. All he has is a lease which is about to run out. Yet the member for MacDonnell says it is the number of cattle which matters. That is a further concern that is the wrong way round.

Mr Smith: Oh, come on. What a weak argument that is.

Mr MANZIE: We have a little contribution from the Leader of the Opposition - great stuff. I hope he has spoken to the member for MacDonnell, because the last time he opened his mouth was on 8 December on the ABC Morning Extra and the member for MacDonnell had to correct him. He had to go on radio and say: 'I am terribly sorry but my boss got it all wrong'. I hope they have spoken about it and have it right this time. It is not unusual for the Leader of the Opposition to get things wrong.

Mr Speaker, let us have a look at the issue. The member for MacDonnell has not said anything but let us have a look at the issue. What are we talking about? We are talking about a concept called 'freehold pastoral'. How far down the line are we? Presently, in the Territory, there are 3 types of freehold: freehold land under the land grants made prior to the introduction of the Crown Lands Act; a fee simple title grant under the Crown Lands Act and repealed under the Freehold Titles Act; and a fee simple grant under the federal Aboriginal Land Rights (Northern Territory) Act. We know freehold title can only be granted to land comprising over 150 km² ...

Mr Smith: Less!

Mr MANZIE: Less than 150 km².

Those are the 3 forms of freehold that we have currently. What about pastoral land tenure? 53% of the Northern Territory is held under pastoral lease totalling roughly 250 separate leases. Some legislation was enacted in 1983 which prevented pastoral leases being rolled over and allowed conversion to a lease in perpetuity if the covenants were met.

Mr Bell: You have not been in this portfolio for long, have you?

Mr MANZIE: It is quite amazing that the member for MacDonnell, who contributed nothing to the subject of the debate, cannot even sit and listen. Maybe he will read the Parliamentary Record and will then get some of it right, but his ignorance is appalling. His scare tactics are ridiculous. Listen to him now! No wonder he does not know anything; he does not want to learn anything.

Mr Smith: He will not learn anything from you.

Mr MANZIE: Mr Speaker, pastoral land tenure is leasehold at present and people have the ability to convert to leases in perpetuity.

In accordance with our platform, this government advised that we were considering giving pastoralists the right to convert their leases to freehold. The method of achieving this would be arrived at after consultation with various groups. That was made very plain by the previous Minister for Lands and Housing when he released a discussion document on the subject of pastoral freehold. It stressed that all aspects of the suggested new pastoral land title would be addressed during the consultative period before any further action was taken. This consultative period obviously will take some time and all of the issues will be addressed. Any move to pastoral freehold would require such freehold to be defined as title which is subject to planning instruments that limit the use of such land to pastoral and ancillary purposes.

It is obvious that the pastoral industry and estate needs to be preserved and that, therefore, the pastoral freehold concept would have to allow the flexibility to diversify into areas described in the planning instrument. The minister would have to remain the consent authority for any change to the planning instrument. Any variation in the use of land would have to be approved by the minister and access would have to be available to those with a traditional attachment to the land and for mining and exploration purposes under the same sort of terms as apply at present. Access by the public for recreation purposes would also need to be available, as would access for government purposes. In addition, pastoral freehold would have to be available over land currently held under perpetual leasehold. In other words,

covenants would have to be met. The conversion of such pastoral leases to pastoral freehold tenure would have to be earned by meeting criteria for development.

There are many other issues which need to be addressed. I expected the member for MacDonnell to raise some of those because they are what people are concerned about in relation to the concept of pastoral freehold. He did not address one single concern. This government is fully aware of the issues regarding the conversion to pastoral freehold and we are addressing them.

Mr Smith: Use your last 10 minutes to tell us about it.

Mr MANZIE: Mr Speaker, the opposition has raised this as a matter of public importance but it has not mentioned a single problem in relation to pastoral freehold. It is totally incorrect to give the impression that we are ignoring the issues but it is typical of the opposition to mislead the community. It is very good at that. We have told the public that this is an issue that needs discussing, that there are concerns that need to be addressed and that we want to work out how it might operate. The opposition immediately goes into gear and deliberately misleads people. It does that all the time. It has done it on education issues that I have been involved in. It does it with Aboriginal development issues, mining issues and everything that comes up in the Territory. The opposition deliberately misleads the community, the media and anyone else it comes into contact with. It even misleads the Assembly.

Mr SMITH: A point of order, Mr Speaker! It is outrageous for the minister to suggest that people on this side deliberately mislead the Assembly. That remark is completely out of order and I would ask you to rule that the minister withdraw it.

Mr MANZIE: Mr Speaker, I withdraw the remark regarding misleading of the Assembly. However, the opposition deliberately goes about creating concern in the community and producing information which it claims to be factual but which has no basis in fact. It is happening now in relation to police powers. The opposition should look at its record over the last 10 years. Look at the sort of doom and gloom it has prophesied: the end of the earth, the end of the Northern Territory. What has happened? All that has happened is that we have developed faster and more effectively than anywhere else in Australia. That is not doom and gloom or the end of the world. The opposition's record is hopeless.

Because the issues are of concern, any move towards pastoral freehold will not commence until those issues are addressed by the government. We have started the process. The Leader of the Opposition can well smile but the member for MacDonnell could not raise even one issue. The issues are being addressed. The Rural Land Use Advisory Committee is seeking submissions and it will report to the government. That will not be the be-all and end-all either. The government has never claimed that it would be. There is much more involved than that and many other areas that we have to examine.

For a start, any move towards freeholding of pastoral land would require extensive legislative changes. There would need to be a new act and changes to legislation relating to fencing, control of waters, energy pipelines, mining, Aboriginal sacred sites, real property, noxious weeds, plant diseases control, stock routes, control of roads, forestry, bushfires, Territory parks and wildlife and petroleum. A vast amount of work would need to be done. I can go on: alternative land uses, surveying of boundaries, maximum size of holding ...

Mr Smith: Why bother?

Mr MANZIE: I want you to understand that it is not a simple issue. We do not intend to change the situation with a click of the fingers. It is a long detailed process.

Mr Smith: Why bother to do it?

Mr MANZIE: I want you to get into your head the fact that the government is addressing the issue in minute detail.

Mr Smith: Why bother to do it? Answer that question.

Mr MANZIE: Why bother to do it? That is typical: 'Put your head in the sand. Don't look at the problems involved with land tenure and the problems of pastoralists'. Mr Speaker, it is part of our platform. It is our philosophy that the freeholding of land is fit and proper for all Australians.

Mr Speaker, I will ask the Leader of the Opposition to answer a question when he is back on his feet instead of sitting there carrying on.

Mr Smith: Right.

Mr MANZIE: If all the problems of freehold title were addressed, would he support the concept of pastoral freehold? I will say it another way. If all the problems and issues were addressed and solved, his failure to support pastoral freehold ...

Mr Smith: That is not a question.

Mr MANZIE: ... would show that he has a basic ideological problem with people owning land as against governments owning land. I think that is what his problem is.

I would ask him also to address this when he is on his feet. If controls were put in place that effectively allowed the government to interfere with the operation of land to ensure that soil degradation etc was limited as far as our technological abilities permit, would it not be sensible to extend such control over the 47% of the Territory in which the government does not have a finger? If he thinks that it is legitimate for the government to strictly control the use of pastoral land, why wouldn't it be legitimate to extend that control over all of the Territory? If we can solve the problems relating to pastoral freehold, why wouldn't he support that movement and the extension of such control over the rest of the Territory?

I would like to hear his answer to that. We are not talking about anything except his ideological problem with the concept of individuals owning and controlling land as against governments owning and controlling land. We will not be moving to freehold any pastoral land until such time as the important issues that I have raised - not those raised by the member for MacDonnell - have been solved. Until those issues are solved, the government will not be moving towards pastoral freehold. When those problems are solved and the practicalities of implementing the solutions are determined, we will be following our party platform and adhering to the promise on which we were elected: we will be moving towards the freeholding of pastoral land.

Mr Bell: That was the worst that I have heard in 3 years.

Mr SMITH (Opposition Leader): Mr Speaker, I would have to concur with my honourable colleague that that was a pretty poor effort. The problem with this debate is that, even now, after the honourable minister has spoken and after the Rural Land Use Advisory Committee has issued its discussion paper, not one good reason has been advanced as to why the government should even look at moving towards the freeholding of pastoral property.

The only time the minister came close to giving a good reason was when he talked about the problems that people might have mortgaging their properties and selling their properties towards the end of their lease period. The minister's problem is that he has no background in this subject. We have a system of perpetual leases and, even before that system was put place, there was a very well developed roll-over procedure for leases in the Northern Territory. For example, if you had a 50-year lease, after 30 years, you could roll it over for another 50 years. You never reached the stage of having your lease run out because of the roll-over provisions previously put in place by a far-sighted government.

Mr Speaker, I would like to hear one good reason why the government is so busily advancing the concept of pastoral freehold. If it has one good reason, perhaps we can look at it. Of course, there is no good reason because we all know how this came about. It arose from a desperate attempt by the Country Liberal Party in 1986 to hold on to the pastoralists and stop them deserting to the National Party. The CLP urged them to stay and said it would look after them by giving them freehold title. It is as simple as that. That is why it happened and the deal has smelled ever since. The chairman of the advisory committee is the President of the Country Liberal Party. He happens also to be a pastoralist who has a very poor record of environmental protection. He also happens to be a pastoralist who has much to gain personally if freehold title is granted.

Mr Speaker, if the government's committee is to have any credibility, it has 2 options in respect of its chairman: to stand him down or to give a commitment that he, as the committee chairman and as the President of the Country Liberal Party and a pastoralist, will not gain anything personally as a result of any decision that the government makes on the question of pastoral freehold. That bottom-line requirement would restore considerable credibility to the operations of that committee.

Mr Speaker, the proposal is the freeholding of 53% of the Northern Territory's land without restriction on the size of individual holdings. I will refer you, Mr Speaker, to page 6 of the Rural Land Use Advisory Committee report: 'There is no restriction on the amount of freehold land which can be held in Australia by one person'. If members opposite are not horrified by that, I am. I am not sure whether that is a constitutional question or not.

Mr Speaker, let me give you a further piece of disquieting news. The tourism conference at the weekend was told that over half the total tourist stock in Australia will shortly be owned by overseas interests. What will happen if pastoral freehold ...

Mr Dale: Is that in New South Wales?

Mr SMITH: It is throughout the whole of Australia.

Mr Speaker, what will happen with pastoral freehold is that huge areas of the country will be locked up by overseas landlords who will have no interest in the economy of the Northern Territory or the long-term future of the land

that they control and who will be subject to very few controls by the Northern Territory government.

If you want an example, Mr Speaker, of the difficulty of controlling people who own freehold land, have a look at the disgraceful block of land on Bagot Road next to the Nightcliff Hotel - the so-called waterslide block. There have been people in the minister's department as well as myself and other members of the Assembly who have been trying to do something about that eyesore for years. Nothing can be done about that particular piece of land. The most I have been able to achieve over the last 3 or 4 years is to have it burned off every 12 months. That is an example of the problems which exist in relation to freehold title yet this government is intent on perpetuating the same sort of problems across 53% of our most productive land. That is what I do not understand and that is what we on this side of the House cannot accept.

To put it another way, we are looking at putting in place land rights for absentee and overseas owners. We will have very little control over what they do with their land. We will have no control over the size of the properties or the size of the particular interests of any individual. That is the problem that we have. It occurs nowhere else in Australia. Every report, and there have been many, into the preferred title for pastoral properties has come down against pastoral freehold. I am not sure about Queensland but reports in South Australia, Western Australia and even the 1981 report in the Northern Territory have recommended against the concept of pastoral freehold. The main reason for their opposition is that they were unable to find a single argument for it that stands up.

I would invite the next government speaker to give us a single reason why we should be looking at the freeholding of pastoral properties in the Northern Territory. If he can give us a single good reason, the debate may continue on a more profitable footing. People can be nothing but sceptical when the government has been unable to give us one good reason and the Rural Land Use Advisory Committee has been unable to give one good reason.

Groups ranging from the miners to the environmentalists are opposed to the concept of freeholding. The following paragraph comes from a Chamber of Mines press release:

> The mining industry opposes the proposal on the basis that it has always been more difficult, expensive and time-consuming to negotiate agreements to mine on freehold land than it has been to negotiate such agreements on pastoral leases or Crown land. That has been the experience of the mining industry in every state of the Commonwealth. The Northern Territory government and National Party policy will enable unscrupulous or mercenary landowners to delay or even frustrate resource development proposals on their land with impunity.

Mr Speaker, despite his many faults, the Minister for Mines and Energy is a vigorous proponent of the role of the mining industry in the Northern Territory. I would have thought that he at least would be expressing his concerns on this matter. There is no doubt that the mining industry is correct and that pastoral freehold would make it more difficult for miners to get on to the 53% of land that is covered by pastoral leases at present.

There is also the question of whether the pastoralists themselves want it, apart from those high-flying pastoralists who happen to be members of the Country Liberal Party and consider themselves to be powerbrokers. Let us have a look at what the records say. Perpetual leases were introduced in 1983 and

therefore have been in existence for 4½ years. In that time, there have only been 68 applications for perpetual leases - 68 applications from 250 pastoral leases. Slightly over one quarter of the pastoral property lessees of the Northern Territory have expressed an interest in perpetual leaseholding in 4½ years. In that 4½ period, only 34 - slightly more than an eighth - have registered and been accepted for perpetual pastoral lease. Those figures seem to indicate that pastoralists have priorities other than seeking to change their present system of leasehold. There has hardly been a flood of applicants. It is hardly something to be taken seriously by a government which claims to be following the wishes of the majority of pastoralists.

Another issue is the right of access by ordinary Territorians to recreational fishing spots on pastoral properties. We all know that that is a very difficult issue now. We all know that Peter Sherwin has a blanket rule that no one is allowed on his properties and that he locks all his gates. The public is concerned that the freeholding of pastoral properties will encourage pastoralists to lock up even more of their land and make it even more difficult for ordinary Territorians and tourists to visit recreational spots on pastoral properties.

I again challenge government members to provide this opposition and the public of the Northern Territory with one good reason why the freeholding of pastoral properties should be introduced or even considered. If they can do so, we are prepared to look at it. This policy was first enunciated in June 1986. It became an election commitment in February 1987 and has been around ever since. The problem is that not one good reason has ever been put forward in support of it. Ranged against it, as I have said, are groups ranging from the mining and environmental lobbies to other groups which have less conflicting views on the future development of the Northern Territory and which have expressed legitimate concerns. The government has been unable to counteract any of those legitimate concerns by putting forward one good reason why the freeholding of pastoral properties should occur in the Northern Territory. Until it does so, it will not get anywhere in terms of the public perception of this debate. That, essentially, is why we have brought on this matter of public importance.

You will note, Mr Speaker, that we are not seeking to condemn the government or to express our dismay at the government's proposal. We are taking this opportunity to point out our concerns and we are inviting the government to address itself to them and to inform the people of the Northern Territory why it is so hell-bent on freeholding pastoral land when there seems to be no reason for doing so. I invite the government to provide me with some reasons so that people in the Northern Territory can start to address this issue.

Mr HATTON (Chief Minister): In the course of my contribution to this debate, I will address the matters raised by the Leader of the Opposition. However, prior to doing that, it is important to look at the history of this current investigation into the issue of some form of more secure tenure, known as pastoral freehold, for pastoral properties.

I am sure honourable members will remember that, from December 1984 until May 1986, I held the portfolios of Lands, Conservation, Primary Production, and Ports and Fisheries. During that period, I had the principal involvement in wide-ranging responsibilities in relation to the pastoral industry, in respect of the land tenure system, the conservation and protection of range lands and the economic management of the industry. One thing stood out quite clearly to me during that period and I addressed it at a meeting of the

Land Board in January or February of 1986. In fact, I have a vague recollection that the member for MacDonnell was present on that occasion. I am sure that, if he stops his soliloquising and exercises his memory, he will recall my address.

Mr Bell: I am hardly soliloquising.

Mr HATTON: I may have the wrong word and I will defer to a linguist on that particular point, but he is certainly contemplating his navel.

During that particular address, I raised a number of issues. One of these concerned the real priority to investigate the need for proper range land safeguards to protect the land-based resource of the pastoral industry. It is in the community's interest for the government to have an active involvement to ensure that, whilst the land may be utilised, there is proper protection to avoid degradation or accelerated degradation of any land in the Northern Territory.

I also pointed out that the pastoralist faces a number of conflicting requirements. He is responsible under the Soil Conservation and Land Utilisation Act for protection of the basic resource. He also has responsibilities under the Fencing Act, the Control of Waters Act, the Travelling Stock Act, the Animal Health Act, the Stock Diseases Act and a multitude of laws which aim to set standards for work on pastoral properties. Government involvement is necessary to protect standards, to avoid degradation, to avoid water mining rather than water utilisation and to ensure that the development of the property is carried out in conformity with suitable standards.

In addition, the leasehold form of tenure means that the pastoralist is also governed by lease covenants relating to such things as kilometres of fencing, number of bores and trap yards, minimum levels of stock and so on. The nature of the leasehold tenure is one of active control on pastoral property. It says: 'You must do this work. You must maintain this standard of facilities on the property and you must maintain this standard of stocking on the property'. Pastoral inspectors from the Department of Lands have a responsibility to ensure that pastoralists are complying with those lease covenants. Under the legislation, it is at least technically possible for a lease to be forfeited if lease covenants are not met and maintained.

Other officers such as veterinarians and stock inspectors visit properties and advise pastoralists on how to carry out their work, where fence lines should be and perhaps how the property should be developed. People from the Water Resources Division advise on where to sink bores. Soil conservation people and the range land management people from the Department of Industries and Development advise on how many stock can be carried around a particular bore because of the nature of the feed and its recovery rates. There are perpetual disputes about whether it has been too dry or too wet, how much feed is there and how many stock can be held. In the Northern Territory, particularly in central Australia, we experience periods of drought such as the current one. There are requirements and encouragements for pastoralists to destock their properties in such circumstances which then lead to a breach of lease covenants which require the maintenance of minimum levels of stock.

We have a series of laws, some of which duplicate others and some of which conflict with others. The question is whether there is a more practical, pragmatic and effective way of properly protecting the resource and providing proper standards for the industry without duplicating controls through the

land tenure system. That is the issue at the core of the investigation into whether we should look at some alternative land tenure system, such as freeholding, together with appropriate controls on land use - because no land is totally free.

Mr Speaker, you cannot do what you like on your urban block of land. You are controlled by the Planning Act, the Building Act, the Health Act and other regulations which determine what you can and cannot do on your property. That is a passive control. You can have your block of land and leave it empty and still pay your council rates, your water rates and your sewerage rates but, if you want to build, you must do so in accordance with specified planning and building requirements. Having built, you must maintain your house to reasonable standards. Councils have the ability to make by-laws in respect of the standards of your property. Local governments in the Territory choose not to accept and develop that responsibility but they are able to do so.

There are many factors which point to a need to change the tenure of pastoral land. In doing so, we must ensure that our environmental protection legislation is effective so that it properly protects the range land. That is a quite valid consideration as is legislation affecting standards in the pastoral industry. That legislation needs to be looked at and updated so that it is effective and appropriate to the industry. The Minister for Lands and Housing said that we must look at the total concept.

Mr Bell: He did not say anything!

Mr HATTON: He did, Mr Speaker. If opposition members had not been interrupting him, they would have heard what he said. He referred to the need to address a wide range of legislative provisions to ensure, where they relate to the issues involved, that standards are maintained on pastoral properties as on other land. These provisions would include those contained in environmental legislation such as the Soil Conservation and Land Utilisation Act. The key question is whether we can do away with the various duplicated systems of control on pastoral properties and what the result might be.

The Leader of the Opposition quoted from a document that was issued in December, and I would refer the member for MacDonnell to it. It was dated 16 December 1987. It encompasses a press release from the then Minister for Lands and Housing, Mr Hanrahan, and a discussion paper on pastoral freehold. It outlines the issues that the Rural Land Use Advisory Committee needs to address, and is addressing. It states that that committee has already been consulting with the land councils in relation to this issue, together with the pastoral, mining and tourism industries, and that it is now seeking public submissions. The Minister for Lands and Housing has extended the period of time before the committee needs to report to him to give it time to do that properly. I will give the undertaking in this House, as has been given before, that, when that report is received by the government, it will be circulated for public comment and debate as part of our general considerations on this issue of the freeholding of pastoral properties.

Mr Speaker, if we have been running like a bull at a gate in this particular exercise, it is the slowest bull I have ever seen because we have been at it for 2 years now. We are still awaiting the first report from the Rural Land Use Advisory Committee to see whether it has found answers to the many issues and concerns that we identified, and others that have been raised by the community. I will say in this House now, as we have said consistently for 2 years, that the Rural Land Use Advisory Committee has been asked to

address the whole issue. It must come back with a system that will ensure that access to land for exploration and mining will be identical to that available under the pastoral leasehold system and that the cost will be the same. It must come back with a process that can satisfy that need and, secondly, ensure that any new provisions must include the pre-existing access rights of traditional Aboriginal people for hunting and ceremonial purposes. We have always said that these matters must be taken into account in any new legislation.

Access for other persons also needs to be addressed, together with the legislative controls necessary to ensure a comprehensive approach. There must be only a single line of approach, not a duplication of approaches, and that needs to be addressed before we will be in a position to indicate what we intend to do and how we intend to go about it. Yet again, as a community, we are entering into a major debate from a solid background of ignorance, and I would urge everybody in this community to await ...

Mr Bell: Try to get your Minister for Lands ...

Mr HATTON: I invite the member for MacDonnell to participate in the debate by way of a submission to the committee. I am sorry that he has not met the October deadline but I am sure that the committee will nevertheless welcome his submission detailing his concerns. I hope that he will include some positive suggestions for the committee to take into account. I must advise that it has been asked to report by the end of March. If the honourable member completes his submission, I am sure that the committee will be happy to receive it. It has extended the period for receipt of submissions by one month.

When the report dealing with many of these issues is available, we will be in a better position as a community to enter into an informed debate and to see whether we can find a more equitable, practical and streamlined process of addressing the issue of land tenure and land management in our rural areas, particularly in respect of pastoral land. I accept the fact that, in that context, it is equally important to address the overall issue of rural land use planning and its interrelationship with the matrix developments of the Conservation Commission in mapping out our recreational needs in the rural areas of the Northern Territory and to ensure that those areas are protected.

The overall process of any movement towards freehold title, and the conditions under which such title could be issued, must be considered. There are a multitude of issues which will arise as a result of the report. It is a staging post in the consideration of the whole matter, a step forward in the process of removing much of the unnecessary, duplicated governmental control over an industry that has been the backbone of this Territory for 100 years. It must be done. I accept the fact that it must be done properly, in the interests of the entire community, but that does not mean that we should not be examining the issues to see if we can do things better. That is what we are doing.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (Serial 55)

Continued from 28 October 1987.

Mr LANHUPUY (Arnhem): Mr Speaker, members on this side of the House support this legislation the purpose of which was described by the honourable minister in his second-reading speech. As the minister said, the new

legislation will increase penalties for offences involving rare species in the Northern Territory and, at the same time, introduce more penalties in relation to species that are protected in the Northern Territory.

The opposition has an amendment which I hope the Minister for Conservation will consider in the light of comment we intend to make during the committee stage. Apart from that, the opposition supports the bill.

Mr REED (Katherine): Mr Speaker, I would like to speak briefly in support of this bill. The changes which it will bring about are, as the minister stated in his second-reading speech, long overdue. As a conservationist, it has always been a matter of concern to me that one could get approval to destroy animals, particularly birds that might be attacking crops, whilst, on the other hand, those same animals could not be taken from the wild and kept in captivity. This bill will permit that to occur. More importantly, it will ensure that those species which are endangered or have higher conservation status will benefit from additional protection.

The amendments will also include changes to conditions for permits under the act. These will ensure that animals taken under the circumstances that I have mentioned and animals kept in captivity are treated according to conditions which do not necessarily apply at the moment. Their husbandry will be better catered for and this is a matter of concern to many of the people who have commented on the bill.

I note that those animals which have high protected status will not be able to be traded if taken from the wild, although the progeny of those animals will be able to be traded. This will be important in the preservation of the species in the long term and will enhance the blood stocks in captivity. Aviculturists keep many of our endangered species in captivity and, over the years, have acquired the ability to breed these species, even those that are difficult to breed in captivity. One such species is the northern rosella, which is found only in the top end of Australia, across the Northern Territory and the north of Western Australia into western Queensland. It is a difficult species to breed in captivity but aviculturists are doing so and it is important that the progeny of these animals may be sold. Other species such as the hooded parrot also fall within this category. The endangered species list which will result from this legislation is approved by the national body of conservation ministers and lists those animals that are rare and endangered. The reciprocal rights between the states will be recognised under the legislation.

I have no further comment to make on the bill apart from indicating my support for it. It will provide much better conditions for animals kept in captivity and it will enable the utilisation of animals which, until now, have not been able to be taken from the wild but have been able to be destroyed through the issue of permits.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I am very pleased that the minister has brought forward amendments to the Territory Parks and Wildlife Act even though it has taken about 8 years. However, I am disappointed in the amendments because, like the act itself, they are very hard to follow. I believe that the amendments are presented in a very clumsy, amateurish way. I have spoken about this to the relevant officers of the Conservation Commission who shall remain nameless, and they agreed with me. If one knows something about the subject and reads the bill carefully, the intention is evident but, even for somebody well versed in the subject, it does present difficulties. I predict now that there will be future amendments

to the Territory Parks and Wildlife Act and or regulations because of the clumsy and amateurish way in which this legislation is phrased.

I must thank the minister for letting me see a copy of the regulations. I have not seen them in their final form but I have drawn the minister's attention to what I consider to be mistakes in the regulations and I hope that these mistakes are rectified. There are 3 schedules in the current regulations. Schedule 1 has been deleted but, to my knowledge, schedules 2 and 3 remain. There is reference to schedules 1, 2 and 3 and this is incorrect because schedules 2 and 3 already exist.

There are also deficiencies and confusions in the bill before us. I refer particularly to the bad grammar of clause 6, amending section 26A. I will discuss that in more detail in due course.

I will not comment at length on the objections of the so-called conservation groups that have been presented to me. Even though, to look on the bright side, these may have been put forward with goodwill, their proponents' views are clouded by the obfuscation of emotion, lack reason and are coloured by little, if any, hands-on experience in the keeping of native animals. Their only value is that they bring an awareness of certain conservation issues to people who are not conservationists. These people tend to become carried away with their own emotional enthusiasm. They often have the perspective of little boys and girls which is that we must all love those soft little cuddly and furry animals and all those pretty little flying birds, without any regard to the sensible management of particular species. These trendy conservationists usually spoil a good cause with their wrong reasoning and conservation values relating to certain genera and species. In the process, they antagonise the very people who could help them in their pursuit of a worldwide, happy-family overview of flora and fauna conservation.

I have made this next point before but I will rub it in because it is important. Changes to the Territory Parks and Wildlife Act were first asked for by the Northern Territory Avicultural Society in 1980. I asked for changes to the Territory Parks and Wildlife Conservation Act in 1984 and here we are in 1988, 8 years after the initial request, with a piece of legislation which, I believe, will require frequent amendment in the future. I suppose that it is good to see the legislation anyway. It is good to see that there is still a bit of life left in the Conservation Commission although I know that its officers are a pretty dispirited lot now. I went out to see them in their new office at Palmerston. I do not know if you have been there, Mr Deputy Speaker. I hope the minister has been there. A more dismal place I have yet to see. The surroundings were pretty dirty on the day I went there. To enter the Conservation Commission offices, I had to go up the back stairs and through a fire door. That is enough to kick the spirit out of anybody when one considers the superb situation of the old Conservation Commission offices at the Berrimah Research Farm.

While I am on the subject of the new offices in Palmerston, I would like to ask the minister a question. He can answer this in tomorrow's question time or whenever he likes. What part of the Conservation Commission budget will be axed so that the rent can be paid on these new premises? The rent is between $800 000 and $1m per year.

This legislation has had an inordinately long gestation period and I believe the resultant progeny is neither fish nor flesh nor good red herring and I predict future amendments to clarify certain confused clauses. I am sorry to keep rubbing it in but I am only speaking the truth. It would have

helped a great deal if the regulations had been presented to all of us, together with the legislation, as has been done before with important pieces of legislation. I consider this an important piece of legislation from the conservation point of view.

I am very pleased to see that the legislation makes specific reference to protected animals. I think that is only in keeping with the Conservation Commission's view of real, active and sensible conservation of certain species of fauna.

I find this confusing, Mr Deputy Speaker. Clause 6 proposes the insertion of a section 26A headed 'Specially Protected Animals' which states, inter alia, that a specially protected animal remains a protected animal throughout the whole of the Territory at all times. I would refer honourable members to section 29 of the Territory Parks and Wildlife Act which talks about the killing of a protected animal, and I think some other sections relate to protected animals. Unless the minister can tell me otherwise, and I would be happy to be told I was wrong in this case, I do not believe that the amendments go far enough in clearly stating the protection that is afforded to specially protected animals. This bill says that the fine for wrongdoing against specially protected animals will be twice that imposed in relation to a protected animal, but I do not think it is expressed clearly enough. I believe that section 29 of the principal act should also have been amended to indicate that it covered specially protected animals.

Proposed subsection 26A(2) reads: 'The maximum penalty to which a person is liable for an offence, under section 25F or under this part ...'. There is no comma before the word 'or' and that caused me to become confused because section 25F refers to penalties for killing animals in sanctuaries and is contained in part III of the principal act. After some thought, I realised that 'this part' refers to part IV, which is titled 'Animals'. Proposed section 26A will be included in part IV. I believe that there should be a comma after 'under section 25F' so that it reads: 'under section 25F, or under this part', meaning part IV. I draw this to the minister's attention because, as it is written, it could be construed as meaning section 25F or the part containing section 25F - that is, part III. In reality, it means part IV which contains section 26A.

Clause 6 also proposes the insertion of new subsection 26B(1) under the heading 'Property in Wildlife'. I have no argument with it. I believe the reason for its insertion is to cover the Crown so that any attack by crocodiles or dingoes will not attract any liability to the Crown. I have no argument with that.

However, I find proposed subsection 26B(2) very confusing and I can see that litigation could arise because of that. Proposed subsection 26B(1) says that wildlife always remains the property of the Northern Territory whilst 26B(2) indicates that wildlife is not the property of the Territory after legal transfer. Proposed subsection 26B(3) says that wildlife is not the property of the Northern Territory after legal transfer. To my way of thinking, there is great confusion between the meanings of these 3 proposed subsections. My confusion stems mainly from the fact that the new section seems to be saying that private ownership takes precedence over Crown ownership provided that everything has been done legally; that is, the buying, selling, bartering or transfer of ownership. If it is not done legally, the animal remains the property of the Northern Territory. I have no argument with that.

Taking aside the confusion between proposed subsections 26B(1), (2) and (3) and assuming that a protected animal is the property of the Northern Territory, is it still the property of the Northern Territory if it leaves the Territory? It could go to another state. I myself have sent animals in my care to Western Australia and South Australia, after obtaining the appropriate permits. Do those animals remain the property of the Northern Territory or not?

I have an interesting question for the minister. When does the status of protected and specially protected animals change when they are subject to alimentary processes in the case of human ingestion?

I understand that subsection (4) of proposed section 26B, 'Property in Wildlife', only protects the Crown in any action or proceedings and does not apply to private collectors such as those operating snake or crocodile farms. I believe there could be some confusion because of the question of who owns the property after it has been legally taken or sold. Is it the Northern Territory or the person concerned?

Previously the word 'kill' was used throughout the act and I did not like that at all. This bill uses the word 'take'. It does not change the meaning of the legislation but I believe the word 'take' is preferable and I am pleased to see that amendment.

Clause 9 has attracted the ire of the greenies. It is interesting to see that the amendment to subsection 43(1) for the first time allows permits to be issued for people 'to possess, buy, use, sell, barter, offer for sale or barter, farm, breed, or dispose of ... a protected animal'. The so-called conservationists object violently to the inclusion of farming or breeding for sale. Some people seem to think there is something dirty about money. They are kidding themselves. If somebody is breeding or farming something in order to make a dollar, he will look after the animals better than anybody else. If dollars are involved, whether you like it or not, people look after their money. If animals or their progeny have a value, it is only common sense to look after them. That is what I meant earlier when I referred to conservationists having no hands-on experience with this sort of thing and not knowing what they are talking about.

Another positive aspect of the breeding of these animals in captivity would come to light in the event of an epidemic of giant proportions affecting a particular species in the wild and causing a gross reduction in numbers. In such a case, the government, through the Conservation Commission, could call on breeders, under certain conditions, to release back into the wild specified numbers of the particular species under threat.

At the moment, the crocodile farms are the main operations which breed animals taken from the wild - and good luck to them. In the future - and I believe this is being considered by the Conservation Commission - I can envisage the farming of magpie geese, wallabies, galahs, white and black cockatoos and many other birds. All of this breeding and farming would be undertaken under permit and under conditions of inspection imposed by the Conservation Commission. I cannot understand why the so-called conservationists are worried. The common sense of the rangers of the Conservation Commission will ensure the proper administration of any permits to the betterment of any breed.

Mr Deputy Speaker, I would like to ask the minister a question. Under section 43 of the principal act relating to permits, the director is the

person to whom one applies for a permit to keep, buy or sell a live animal. However, he cannot issue a permit for the taking of a specially protected animal. It is the Conservation Commission which does that. Why does the director have the power to issue permits for protected animals whilst the commission issues permits for specially protected animals?

I think the member for Katherine mentioned that there could be no permit to take a specially protected animal. However, clause 10 inserts a new section 43A which provides that the commission 'may issue a permit to a person or to a person and his servants and agents ... to take a specially protected animal'.

On one final matter, I was unable to obtain a conclusive answer from Conservation Commission officers to whom I spoke. All major legislation relating to a changeover from one system of administration to another contains what are called transitional clauses. There are no transitional clauses in this legislation and I must admit a personal interest in this regard. Do those of us who have protected animals under permit, in order not to commit an offence, have to watch for the gazettal notice of this legislation and regulations and immediately apply to the Conservation Commission or to the director or predate an application to keep specially protected animals or protected animals so that it will take effect on the gazettal? A person may have a permit to keep animals which are not protected and which may become protected. A person may have a permit to keep protected animals which may become specially protected. Why are there no transitional clauses?

In respect of the amendment schedules that have been circulated, my main objection is to the proposed new clause 11 relating to subsection 123(2) of the principal act. Section 123 relates to the regulations. Paragraphs (a) and (b) of section 123(1) are general in application. Paragraph (a) of section 123(2) relates to permits for zoos, menageries and aviaries and paragraph (b) of that section relates to local management committees. Proposed paragraphs (c) and (d) relate to the issue of permits. I believe that section 123 is a real grab bag of unrelated matters and I believe it is bad legislation.

Mr Deputy Speaker, I will refrain from speaking further on the bill. I am not violently against it but I have certain objections which are based on experience. I believe that my objections are valid.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, a couple of months ago, I had the pleasure of a visit from Professor Wayne Sherman at my little farm at Ti Tree. He had a look at the peacharines which I am growing there and gave me some advice, for which I was very grateful. As we wandered around the farm, a flock of galahs settled on the powerlines. He looked up and said: 'If you took that flock of galahs to the United States, they would be worth much more than what you will make out of peacharines in a long time'.

It has been of concern to me that some of our wildlife exist in huge numbers yet, because they are protected, they cannot be exported for sale overseas. I understand that some drug smugglers are also prepared to take the risk of capturing animals and smuggling them out for sale overseas. That gives them a doubly profitable venture. I dare say that is a matter for the Commonwealth government rather than ourselves. However, when we have animals and birds in huge numbers - for example, the common galah - I believe people should be licensed to sell them overseas. This would eliminate the huge prices they now fetch in the USA - as high as $2000 per head - and remove a source of profit for those involved in the drug trade.

Mr Deputy Speaker, I have occasionally raised in this Assembly my concerns about the eagles which land on the Stuart Highway, particularly in winter, attracted by the carcases of kangaroos, rabbits and other animals killed by traffic. The eagles eat the animals on the road and a large number of them are in turn skittled by motor cars. That really saddens me because they are a beautiful bird. I suggest that motorists should be warned - particularly the tourists, who are not aware of these birds. An eagle which is sluggish after a good feed could well hurtle through the windscreen of a motor car and cause an accident. It would be a good idea for signs to be placed on the highway warning people to slow down.

I would like to think that there are very few people in our community who would deliberately kill one of these magnificent birds. Certainly, they are a rare and marvellous sight, particularly for our tourists. It is a great pity that so many of them have been killed. Sometimes, while travelling on that part of the highway, I have stopped and dragged a skittled kangaroo into the bush. It is not a pleasant task because of the smell, but at least the eagles are a bit further from the road and less likely to be killed.

On one occasion when I had a problem with young grapevines being eaten by rabbits, an officer of the Conservation Commission told me about a variety of eagle which is much less common than the wedge-tailed eagle. It has darker markings, is shyer and tends to stay further from the road. I am sure that these species are valuable to all of us and to the tourist industry and I welcome anything that can be done by the Conservation Commission to help protect them.

I once described to this House an occasion when I came around a corner on the highway, saw a slight movement in the grass and then watched about a dozen eagles flying up like a bomb burst. I just wish that I could have recorded it on film. It was one of the most magnificent sights I have ever seen. We need to preserve these birds to give some interest to visitors on our long and boring highways. They will certainly enjoy them and remember them. I do not think it would be too difficult to erect a few signs warning drivers about the eagles and asking them to slow down.

I am sure that many people enjoy keeping birds and treat them very humanely and that these people will welcome this legislation. The member for Koolpinyah has studied the legislation far more closely than I and has indicated that there may be a few problems. That is the point of this Assembly. We can identify problems and point out things which need to be changed. I hope that we will do that from time to time to improve this legislation and to look after our flora and fauna. It is a rational and sensible step. Birds like galahs, which can be very destructive when they flock in huge numbers, should be subject to totally different treatment to other animals and birds such as the eagle. Such species are fairly rare and valuable and do not cause any problems. They need to be protected. I welcome the legislation and support the bill.

Mr SETTER (Jingili): Mr Speaker, it is true to say that, from time to time, it is necessary to amend any legislation because of changed circumstances. We do that in this House on a regular basis and that is the situation that we are addressing at the moment. Because of changing circumstances and what were perceived to be some flaws in the previous legislation, we have amendments to try to modify the situation to make it more acceptable to the community at large. Previously, we had a very restrictive piece of legislation which did not allow any flexibility at all and I am very pleased to say that, when we pass the amendments this afternoon, that situation will change.

I was interested in the proposed amendment to clause 8 which the opposition has circulated. It suggests that, before changing regulations under the act, details of the changes should be published in a newspaper and that members of the public should be invited to make submissions which would be considered after 28 days. I wonder if the opposition could clarify that. I am a little confused about the situation and, before I make up my mind, I would like to hear the opposition's explanation of why it has introduced its amendment.

I was also a little confused by a number of comments from the member for Koolpinyah. She used the word 'confused' herself on numerous occasions. In fact, if I was fortunate enough to receive a carton of birdseed each time that she used the word, I would be able to feed most of the budgies in central Australia for the next 12 months. However, I do agree with some of her comments about born-again greenies. There are plenty of them, most of them funded by the federal government, and their numbers are growing all the time. I appreciate and support what she said about those people. There are many pseudo-conservationists in the community and, when one starts to delve into their motivations, one finds that they are totally different to what one might imagine.

An important feature of this bill has been the considerable consultation with the various community groups involved. There are a number of such groups, such as the graziers, which I am sure would have been involved. The bill provides for tighter controls over rare and endangered species. That is very appropriate, bearing in mind my earlier comments with regard to the way these amendments free up the system and allow for greater flexibility. It is also equally important that the controls for rare and endangered species are tightened because we certainly want to ensure the protection of those species. That is absolutely critical to the environment and the well-being of those species. I am pleased to see that such controls are provided and that the penalties for some offences relating to endangered species have been doubled.

I also note that the bill introduces new categories; for example, that of specially protected animals. It is also very interesting to note that the regulations provide a schedule of fauna nominated as specially protected animals. It also clarifies the ownership of wildlife. I can appreciate what difficulty must have existed in the past because the previous legislation did not clarify that at all. It now vests the ownership of such fauna in the Crown. This is important when one realises how mobile our fauna is. Birds such as eagles and galahs are very mobile indeed and readily move from one property to another. The question of ownership of such animals was a very grey area in the past. Ownership will now be vested in the Crown and, as a result, there can be no misunderstanding in the future.

Another important clarification relates to wildlife taken by the Conservation Commission and transferred to a crocodile farm for commercial breeding purposes. The ownership of such animals is initially vested in the Crown but transfers to the commercial operator at the point of slaughter. I think that is fair and reasonable. We have an enormous resource, not only in crocodiles but in common species such as the galah. There must be hundreds of thousands of galahs, if not millions, throughout the Territory and Australia. The same applies to budgerigars. Such abundant species could be exploited for commercial purposes without placing any pressure on total numbers and I think we should take advantage of that.

In these days of tight economic circumstances, it is to everybody's advantage to develop our resources to the best of our ability. This will, of

course, include our wildlife. Of course, there could be instances in which a great flock of galahs or some other predators might descend on the grape farms at Tiwi and absolutely ravish the crop.

Mr Dondas: Tiwi? What about Ti Tree?

Mr SETTER: I am sorry. I mean Ti Tree. They grow pandanus at Tiwi. A flock of birds might descend upon the grape harvest at Ti Tree and create enormous devastation. We need to be able to address that particular issue.

These amendments also allow for the relaxation of some regulations which relate to common species. My understanding is that previously all native species were protected. Some common species will now be permitted to be taken without a permit. The taking of others will doubtless continue to require a permit. Mr Deputy Speaker, with those few words, I support the amendments. I look forward to the opposition's explanation in the committee stages in relation to the amendment it has put forward.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I thank honourable members for their contribution to this debate today. It certainly seems to have been of interest to a number of members. The concept of the legislation is very important. In this day and age, we must allow our protective procedures to be extended to those animals which are unique to the Territory, and rare in the Territory, and those animals which are abundant. At the same time, we can allow commercial exportation to be carried out within certain controls. In the end, future generations of Territorians will be able to enjoy the same wildlife as we enjoy now.

A number of queries were raised by the member for Koolpinyah. Although I do not see her in the House at this moment, I am sure that she is listening.

Mrs Padgham-Purich interjecting.

Mr MANZIE: Mr Speaker, she has returned. I would like to go through some of the problems which she had in relation to the bill and do the best I can to provide her with the information she needs.

The first item of concern related to proposed subsection 26A(2). The honourable member was worried about the wording which says 'under section 25F or under this part'. The words 'under this part' refer to part IV of the principal act which is the part into which section 26A is to be inserted. It will not be inserted in part III, which contains section 25F.

Proposed subsection 26A(1) refers to protected animals and specially protected animals. I would like to assure the honourable member that specially protected animals, as well as being specially protected under the legislation, are also protected by all of the provisions which relate to a protected animal. This means that any requirements or restrictions under the legislation referring to protected animals also refer to specially protected animals. Instead of writing everything twice, there ...

Mrs Padgham-Purich: They should have more protection.

Mr MANZIE: They do. They have extra protection and that is why they are called 'specially protected animals'. In addition, they receive the benefit of the protections and penalties that relate to protected animals.

What else was the honourable member concerned about? She had some concerns about the transfer of ownership under proposed section 26B, 'Property in Wildlife'. Proposed subsections 26B(1), (2) and (3) refer to a protected animal which becomes the property of the Territory when it is caught, restrained or killed. They also cover the progeny of a protected animal. After a protected animal becomes the property of the Territory, its progeny also become the property of the Territory until such time as ownership is lawfully transferred - in other words, before permits have been issued in relation to transferring its ownership. Proposed subsection 26B(3) refers to an animal, or part or product of an animal, which remains the property of the Territory until such time as a lawful transfer takes place. The ownership of the Crown remains unless a lawful transaction occurs in relation to ownership.

Mrs Padgham-Purich: If I get the permits and I get the animal, whose is it then? It is mine.

Mr MANZIE: Yes.

Mrs Padgham-Purich: Thank you.

Mr MANZIE: That is right. It is yours as long as it is a lawful transfer with a permit. It is the Territory's property and remains as such until a lawful transfer has been carried out in accordance with the permit. As far as human ingestion goes, obviously once it has been swallowed it is no longer an animal; it becomes part of the food chain.

With regard to the specially protected animals and protected animals, the Conservation Commission will make the decision on important matters relating to the issuing of permits, but the commission has the power to delegate to the director on all aspects so that, in practical terms, I presume that the director would be allocated most of the powers.

Mrs Padgham-Purich: What about the animals leaving the Territory?

Mr MANZIE: Again, the animals leaving the Territory would have to be transferred lawfully under permits. You cannot simply transfer them from place to place.

The last matter the honourable member raised was her concerns regarding permits and what happens in terms of the changeover. Under section 12 of the Interpretation Act, those transfers can take place automatically. Permits already held and animals that are held legally at present under permits move across automatically under section 12 of the Interpretation Act.

I thank honourable members for their interest. I believe that this bill will go a long way towards ensuring both the protection of wildlife and facilitating the commercial exportation of certain types of wildlife.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr MANZIE: Mr Chairman, I move amendment 24.1.

Mr Chairman, the amendment is designed to expand the definition of 'progeny' to include ova and sperm, thus giving the Territory the ownership of ova and sperm of any captive animals since such reproductive agents might otherwise be sought-after items.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clause 7:

Mr MANZIE: Mr Chairman, I move amendment 24.2.

This amendment to section 29 of the principal act is to provide it with some teeth, particularly in respect of the regulations covering the terms under which protected animals may be taken.

Mrs PADGHAM-PURICH: Mr Chairman, I would like to ask the honourable minister exactly why it includes the limitations and regulations. After reading section 29 and in light of the practice in respect of other legislation, it is my view that regulations follow from legislation. If the legislation is adhered to or not, the regulations are adhered to or not. Why add this? It seems a bit clumsy.

Mr MANZIE: Mr Chairman, it is being added to ensure that the regulations have teeth and that appropriate penalties which apply in relation to section 29 will apply with regard to the regulations.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8:

Mr LANHUPUY: Mr Chairman, I move that, at the end of clause 8, the following be inserted:

(2) Section 42 of the principal act is amended by inserting after subsection (1) the following:

(1A) Regulations shall not be made for the purposes of subsection (1)(d) unless the director first -

(a) publishes in a newspaper circulating in the Territory a notice -

(i) giving details of the effect of the proposed regulations, including any terms, conditions and limitations to which the catching or restraining is to be subject; and

(ii) inviting members of the public to make submissions to the director in relation to the proposed regulations within 28 days after the publication of the notice; and

(b) after the expiration of the 28-day period, considers all such submissions made to him.

Mr Chairman, by way of explanation, we believe that it is essential for people in the Northern Territory to be given the opportunity to express their views about the transportation to other areas of animals unique to a particular location in the Northern Territory. For example, there may be animals in the area south of Alice Springs that are specifically acclimatised to that region and such animals could be transferred to, say, the Top End without the public knowing. There may be people within the community who have some concern about that. That is why the opposition is asking for an opportunity for public comment as part of the procedures. There are rare species in the Northern Territory which are to be found only in certain pockets of land. That is why we have moved this amendment.

Mr EDE: Mr Chairman, I would like to elaborate a little on the principle involved. This amendment will allow for regulations declaring certain animals to be animals which can be caught or restrained without a permit. If I see a regulation indicating that the rabbit-eared wombat can be caught and restrained without a permit, that would not mean anything to me because I know nothing about the rarity or otherwise of the rabbit-eared wombat. I do not know whether it is quite common in some parts of the Northern Territory and quite rare in other parts. However, there are people in the Territory who have a considerable knowledge about various species that may be found only in specific locations.

Various types of bats were mentioned in the debate on the Stapleton National Park. One of the arguments was that, whereas a particular type of bat is quite common in another part of Australia, it is very rare in the Northern Territory. It may be that people would be concerned to preserve a particular colony in the Northern Territory despite the fact that it may be quite common elsewhere in Australia. Thus, first of all, we have the problem of the actual rarity or otherwise of an animal. People may disagree with the Conservation Commission or with the minister who may intend to regulate on the basis that a particular animal is quite common and therefore can be caught and restrained without a permit. These people may wish to argue that the animal is quite rare and that the minister's information is incorrect.

Our amendment will require a listing in the newspapers first so that people will be able to know which animals and birds are involved. That will give people the ability to challenge the listing of a particular animal. They would be able to write to the Director of the Conservation Commission indicating why it should not be on the list. The director could then investigate their claim and decide whether to proceed with the regulation or not. If he believes, after weighing the evidence provided, that the department was correct in the first place, he would then proceed to make the regulation.

That seems to be an eminently reasonable amendment. It will go a long way towards satisfying many of the very reasonable objections that we have had to this bill. It would bring the issues into the harsh glare of publicity. Nobody would doubt that the government's actions were well and truly above board in this matter and nobody could accuse it of attempting to make regulations without offering a chance for people to provide facts which the government may not have at its own disposal.

Mr REED: Mr Chairman, I would like to speak briefly against the amendment. I do not really see what the member for Stuart is getting at when

he says that, all of a sudden, the commission may decide that a particular species be added to or deleted from a list. It is broadly recognised that such action only follows considerable investigation. During the period of that investigation, it would be fair to assume that many of the organised groups, such as avicultural groups and others ...

Mr Ede: It is 'fair to assume', is it?

Mr REED: It is not fair to assume that animals may be flippantly added to or taken from a list.

The mechanism is in place to take full account of this scenario should it arise. In addition, we should recognise that this part of the legislative process is in the regulations so that it can be changed without too much difficulty. I oppose the amendment.

Mrs PADGHAM-PURICH: Mr Chairman, I know that Conservation Commission officers would not claim that they know everything about everything in the Northern Territory. What they do know is that there are people in the Northern Territory who have greater knowledge than they about certain species of animals and birds. Before they make any drastic decision about the inclusion or deletion of a particular animal, I know for a fact that they ask these people for advice. That is one of the advantages of having had working experience with the Conservation Commission officers. I know their limitations in certain fields but I also know the great knowledge that they have in other fields and the expertise that they have in gaining knowledge, if not directly through their own officers, through the people in the community.

I am a bit concerned that the proposed amendment provides that the director should first publish in a newspaper circulating in the Territory a notice giving details of the effect of the proposed regulations. With the best will in the world, I do not really think anybody could give details of the effect of legislation. He can forecast what he thinks the effect will be but he cannot give any concrete details of future effects.

I do not know whether the honourable member intended to refer to protected and specially protected animals but his amendment refers only to the director who has powers under the legislation in respect of permits for protected animals only. The Conservation Commission has the power to deal with permits for specially protected animals.

Mr LEO: Mr Chairman, I would like to address a couple of remarks to both the member for Katherine and the member for Koolpinyah. I do not think that there is any member of the House who has any doubts about the integrity of the officers of the Conservation Commission. However, legislation is not drawn up to take account of the good intentions or otherwise of particular public servants or officers within any department of the Northern Territory. In fact, laws are made to satisfy the demands of the situation. That is the case with all our laws.

Whilst the officers of the Conservation Commission are certainly very able and undoubtedly will pursue this legislation with a great deal of caution, the fact of life is that laws are made to take account of every foreseeable situation and we may not always have officers in the Conservation Commission who have the same dedication as the officers who are working for it now. That could lead to the unfortunate eventuality where we have to amend this legislation again. Legislation is drawn up to take account of the community's demands.

I am sure that all members would agree that the Australian community has become increasingly aware of the stresses and strains placed on Australian fauna and flora by the continued intrusion of the human species in the general terrain of Australia. That awareness has led to the development of various lobby groups whose members are involved in much-publicised events and activities. A number of ordinary people, including schoolchildren and many others, take a very close interest in the environmental debate in Australia and they are not necessarily members of the active lobby groups. The amendment proposed by the member for Arnhem would allow those very interested persons to have some degree of first-hand correspondence with the minister on a subject matter which is gaining more and more importance throughout the Australian community. I would suggest to the minister that it is as much in his interest as it is in the Northern Territory's interest, to have as open a door as possible to the views of ordinary members of the public on the extremely important matter of whether or not certain species are to be allowed to be taken.

The member for Katherine signalled the government's intention on this matter but I would suggest to the minister that he think closely about this amendment. It does not necessarily need to be passed today. We still have another 2 days of sittings and this committee can agree not to proceed today. The matter deserves considerable thought. The opposition's amendment was not drawn up flippantly and I would suggest that the minister spend a couple of days thinking about it in terms of the access which extremely interested members of the public have in matters relating to the environment of the Northern Territory.

Mr MANZIE: Mr Chairman, the government is opposed to the amendment proposed by the member for Arnhem, for a number of reasons. I understand the intention behind the proposed amendment, which arises from a concern that there will be willy-nilly dispersal of permits regarding the taking of animals or birds that may be close to extinction. However, I draw honourable members' attention to the second-reading speech of the former minister in which he stated that this bill represents a necessary removal of some of the red tape previously encountered by people wanting to keep a cocky in a cage, for example. It also recognises that there are some animals which deserve special protection, particularly if we are going to preserve them for enjoyment by future generations of Territorians.

Unfortunately, the proposed amendment would introduce new red tape by means of newspaper advertisements, public hearings and debate about a list of animals which is already a public document. The regulations are printed and they are available for any member of the community. We do not have a situation where, every week, the minister decides to add or remove a few species. It does not work like that. The listing of animals relates to Territory-wide, Australia-wide and, in some instances, worldwide expertise regarding what animals are close to extinction, what animals should be protected and a whole gamut of issues relating to the preservation of wildlife and bird species.

I can assure honourable members that the Territory Conservation Commission is recognised as a world leader in the preservation of rare animals. For example, there has been some excellent work in the member for Stuart's electorate on the preservation of the bilby, which is similar to the creature which he described earlier as a rat-eared bandicoot. The Conservation Commission is recognised as being in the forefront of this sort of work and I can assure honourable members that the purpose of this legislation is to ensure that endangered species are protected and to keep red tape to a

minimum. We believe the opposition's amendment would do the opposite and, therefore, the government will reject it.

Mrs PADGHAM-PURICH: Mr Chairman, the minister has just spoken about dispensing with red tape in relation to permits for the keeping of animals. I have had direct experience of this red tape. Because I live north of the 15th parallel, I do not need a permit to keep my agile wallabies. However, regulation 7 says that, because I have more than 10 animals, I do need a permit. I applied for one and there was quite a deal of argy-bargy before I received it. The red tape problem was that one part of the regulations said that I did not need a permit whilst another part said that I did. It was all unnecessary.

Whilst on the subject of agile wallabies, I would like to ask the minister a question. He is probably not in a position to answer it immediately but I understood from verbal communications with officers of the Conservation Commission that there was serious consideration being given to placing the agile wallaby on the protected list. At the moment, under schedule 2 of the current regulations, agile wallabies are protected in all that portion of the Northern Territory which is south of the 15th parallel and is not within the boundary of the Arnhem Land Aboriginal Reserve. They are, therefore, not protected in the rural area. Unfortunately some residents of the rural area belong to that group of Australians which likes to shoot everything that moves, including wallabies. Along with other people interested in marsupials, I ask the minister to seriously consider changing that unprotected status to give protected status to agile wallabies.

Mr SMITH: Mr Chairman, I do not think that members opposite have realised that, in this day and age when people are increasingly concerned about environmental matters, our amendment relates to something that is likely to be very controversial indeed. The bill's definition of a protected animal does not help much. It defines a protected animal as 'an animal declared by this act or the regulations to be a protected animal'. The first step is to go beyond this legal definition and to look at what people in the street might consider to be animals worthy of protection. The second step is to consider how people in the Northern Territory will react to the fact that it will be possible for the government or the Director of the Conservation Commission to declare, by regulation, that a protected animal can be caught or restrained without a permit. There is a clear possibility of enormous upset from time to time when these regulations appear.

Under our amendment, that upset would be avoided. When the minister or the Director of the Conservation Commission proposed to alter the list of animals which can be caught or restrained without a permit, he would notify his intention in a paper circulating in the Northern Territory and he would allow people within the Territory 28 days to respond. I take the point that many of the groups that have an interest in this particular issue in the Northern Territory will be picked up in the consultations. The minister has said that the Conservation Commission has a worldwide reputation, and I agree. He also said that it consults worldwide on many of the issues that it deals with and I have no problem with that at all. All that we are trying to do through this amendment is to ensure that everybody in the Northern Territory with an interest in this matter is aware of the changes proposed by the Director of the Conservation Commission and has the opportunity for input. We believe that the importance of the matter warrants that sort of deliberation.

We are all aware of nationwide concerns relating to particular species which some people believe to be in danger of extinction. One example that

comes to mind is that of the species of bat which inhabits a particular cave in Queensland. In that instance, there has been considerable toing-and-froing between quarry miners and environmentalists in relation to how to protect the colony of bats. Those sorts of issues are becoming more and more important, and what we have tried to do is to avoid the potential for any heat and controversy over a particular listing or a particular deletion from the list by giving everybody in the community the opportunity to know what the Director of the Conservation Commission is proposing and to make a comment on what he is proposing.

We are not in any way trying to weaken the power of the Director of the Conservation Commission to make the final decision. We accept that he has the expertise to make that decision. All that we are saying is that there should be an obligation on him to ensure that people in the Territory know what he is proposing and have an opportunity to comment on that. If the government were prepared to accept that, any hint of controversy that might arise from time to time would rapidly dissipate.

Mr COULTER: Mr Chairman, the second-reading speech outlined the purpose of the regulations quite clearly. May I advise the Leader of the Opposition of the very detailed consultative process that has taken place during the development of this legislation, particularly ...

Mr Ede: Just accept the amendment.

Mr COULTER: Honourable members opposite are demonstrating their new-found interest in this particular issue. I have not heard their names mentioned by any of the people who have been involved with this issue, some of whom are very staunch Labor Party supporters. However, I am sure that, when those people hear the results of today's proceedings, they will not be terribly impressed with the Leader of the Opposition.

The member for Koolpinyah has been involved in this particular issue for a very long period of time, dating back to when she was the Minister for Conservation.

Mrs Padgham-Purich: A long time before that.

Mr COULTER: Well, particularly when she was the minister responsible. During that period, she had ample opportunity to bring in this legislation.

I can assure the Leader of the Opposition that there has been a very lengthy period of consultation with people who are heavily involved in the trapping of birds and the taking and keeping of animals and that subjects covered have included road kills and so on.

The point is that, even if a notice is placed in the paper, it is the director who will make the decision. The director will be influenced by the fact that this notice has been circulated. This is the man who has been given the responsibility to declare, by regulation, an animal to be protected. He will be involved in the consultative process that we have witnessed during the last 4 years. He will not make an arbitrary decision, tossing a coin and saying that zebra finches are in this week and black cockatoos are out. We need to give some credibility to the man who has been charged, under this legislation, with the responsibility of declaring protected species. Through this legislation, we are saying that the director will make the decision. However, the opposition is saying that we should advertise any proposal for change so that everybody can write in and, following that, the director can make the decision.

Mr Chairman, apart from the obvious income which the newspaper would make through the process that is being suggested by the opposition, it fulfils little other purpose. The director will still make the decision. If members opposite are saying that the director does not have the ability to consult with all the people involved, it is wrong. There are international treaties which relate to these matters and there are national organisations which have been set up to declare which bird species are to be protected and also which frogs and lizards need protection. Members opposite should read the legislation. Their amendment demonstrates a lack of confidence in the director. They seem to believe that his decisions should be influenced by responses to a notice in the newspaper.

The director obviously will consult and inform himself on relevant matters. He will have a very big responsibility. He will be acting according to regulations and the regulations can be changed. I believe that advertising proposed changes in a newspaper for 28 days will simply add red tape and slow the whole process down. The director will have the responsibility and there is no argument about that, whether or not the amendment is passed. The opposition is simply saying that proposed changes should be advertised in the paper and people should be given 28 days in which to make submissions.

Mr Chairman, we have a consultative process in place. We have national and international treaties relating to protection. I believe in the competence and the technical ability of the director, and I believe that this legislation amply covers this issue without any need for advertising.

Mr EDE: Mr Chairman, that is a load of absolute codswallop. Day after day, the minister tells us that we are not conservationists but preservationists. Ministers and other government members denigrate the environmental movement regularly but, in this instance, the minister turns around and says that environmentalists can trust the government not to take any action that would possibly damage the environment of the Northern Territory. Despite all his previous remarks, he asks us to trust him.

Mr Chairman, what about the Planning Act, where provisions similar to what we have proposed ...

Mr CHAIRMAN: Order! The honourable member will relate his remarks to the amendment before us. The Planning Act is not relevant to this legislation.

Mr EDE: Mr Chairman, the Planning Act contains very similar provisions to those we are proposing.

Mr CHAIRMAN: I doubt it.

Mr EDE: Mr Chairman, my information is that the Planning Act contains a quite similar provision.

Mr CHAIRMAN: Order! The amendment before the Assembly relates to the placing of advertisements in relation to the protection of fauna. The honourable member will confine his remarks to the amendment schedule circulated by his colleague.

Mr EDE: Mr Chairman, my point is that other legislation contains provisions which require the government to indicate its intentions in a newspaper advertisement. There is a period during which members of the public are permitted to make their views known to the government on the proposal. At the end of the stipulated period, it is incumbent on a government official to take those views into account and, having done so, to make his decision.

Mr Chairman, why does this government always reject any opposition legislation or amendment that would enable the people of the Northern Territory to have a little more input into what is going on inside its dark corridors? Territorians are telling me that they no longer trust the government. They want to ensure that the government has to telegraph its punches so that no further regulations are rammed through. What happens at the moment is that an article appears in the Sunday Territorian about some new government measure and, by the following Tuesday, there is a new law backdated to the previous week.

We no longer trust the government in those sorts of situations. We want the Northern Territory government to be required to telegraph its punches so that the people can decide whether they agree or not. What does the government want to hide in this particular instance? Why is it not game to expose its decision-making processes to the harsh light of publicity so that people can make up their own minds and indicate whether a particular species should or should not be permitted to be kept in captivity or under restraint? It is a good indication of the extent to which this government is prepared to go to ensure that Territorians do not have a say.

Mr PALMER: Mr Chairman, nothing surprises me now about the member for Stuart. He never misses the opportunity to denigrate and impugn the integrity of any members or any servants of this government. He now takes the opportunity to impugn the integrity of the Director of the Conservation Commission.

He painted a picture of government campaigns and pogroms against green tree frogs. The intention of the legislation is clear. If we were to take the opposition's amendment to its ludicrous and absurd conclusion, we should dismiss all the officers of the Conservation Commission, employ an advertising agency, place advertisements in the paper in relation to every decision we intend to take and take a vote on how much we should pay our various officers or what we should do on a day-to-day basis. The amendment is absolutely ludicrous and I reiterate that the Deputy Leader of the Opposition does nothing more in this House than denigrate and cast personal aspersions against anybody in the Northern Territory, be they businessmen or be they loyal and humble servants of the Crown going about their sworn duties.

Mr LEO: Mr Chairman, I will stand corrected on this matter or any other matter. Unlike the member for Karama, I am prepared to be educated about almost anything at all.

I was under the impression that this legislation and, indeed, the entire Territory Parks and Wildlife Conservation Act were not introduced with the interests of the Director of the Conservation Commission in mind. I thought that they were introduced with the fauna and flora of the Northern Territory and the opinions of the people of the Northern Territory in mind. I am prepared to be corrected if some honourable members want to say that the entire act was designed to protect the Director of the Conservation Commission. So be it. However, I think the government should tell the Northern Territory people that the only reason the act exists is to protect the Director of the Conservation Commission. If, on the other hand, the act exists to reflect the views and aspirations of the people of the Northern Territory and to protect our fauna and flora, that is what we should be talking about - not the Director of the Conservation Commission.

To calm the nerves of the Minister for Mines and Energy, the amendment does not propose that an advertisement be run for 28 days. As is the case

with many other pieces of legislation, we simply propose that some notice be given to the public in relation to an intended action of government. That is all it proposes, nothing more. It is not an attack on the Director of the Conservation Commission. It is an attempt to allow the people of the Northern Territory a say in matters of considerable interest to all persons in Australia. I do not know whom people opposite talk to but a growing number of people in Australia are very interested in all forms of conservation. This amendment would allow them to have more say in the conservation of our fauna.

It is incredible to infer that such community interest constitutes an attack on the Director of the Conservation Commission. I would suggest that, if the minister is having indigestion about this amendment, he does not need to knock it on the head today. We have 2 more days to sit and he can perhaps consider the matter in peace without having the views of the member for Karama spat all over the back of his neck. He could come back with another amendment on Thursday or, indeed, throw our amendment out. It would be immature and irresponsible simply to turf it out at once, as happens all too frequently with amendments proposed by the opposition, simply because it has been proposed by this side of the House.

Mr TUXWORTH: Mr Chairman, I would like to speak to the amendment and ask the minister to give some thought to what I have to say because I will cite an example of the difficulties some people in remote areas experience in respect of determinations of the Director of the Conservation Commission in relation to species which ought or ought not be protected. The Opposition Leader spoke a moment ago about protecting species that might possibly become extinct.

I would like to cite a circumstance that I found at Rockhampton Downs not very long ago. The manager of that station would have liked to have had an opportunity to have an input to the Conservation Commission in relation to the declaration which made galahs a protected species. He was the first to accept that, in some parts of the Territory, that would be a very reasonable proposition. However, the reality on his station was that the galahs were eating anything and everything that they could latch their beaks around, including the rubber on the wireless aerials, windscreen rubbers and the surrounds of the hot-water service. They were an absolute menace. They were present in tens of thousands and he was unable to do anything about them.

His comment was pretty reasonable. He said: 'I would like to get hold of the so and so who declared these buggers a protected species. Look at the damage they do here yet, if I shoot one of them, I am in all sorts of strife with the Conservation Commission'. There was probably a very good argument at Rockhampton Downs for sending out officers to trap the galahs and take them somewhere else or sell them. Inevitably, there was a temptation for the station manager to wait until everybody had gone, get a shotgun and clean up as many as he could while he had the chance. You cannot stand by and watch what is a protected species ...

Mr COULTER: A point of order, Mr Chairman! The committee has before it a very definite and clear amendment which proposes that an intention to alter the list of protected species should be advertised in the newspaper, that there should be a 28-day period for receipt of public submissions and that the director should consider such submissions before making a decision in relation to protected animals. The member for Barkly is telling us quite an interesting story about galahs, a species which he obviously knows a great deal about. The story has nothing to do with the amendment before the House.

Mr CHAIRMAN: There is no point of order.

Mr TUXWORTH: If I could move to the conclusion of my remarks for the benefit of the minister, and I am sorry I am holding him up ...

Mr Coulter: You haven't been in here all afternoon.

Mr TUXWORTH: I listened to everything you had to say and you have just been throwing your weight around as usual. Settle down for a minute and take it easy.

Mr Chairman, my point is that there are people in remote areas who would like to comment, not necessarily to influence a decision one way or another, in their own interests on the declaration of any species. That is a perfectly reasonable proposition. The minister asked a moment ago about what would happen if there were 12 people in favour and 12 against the listing of a particular species. That does not really matter. What is important is that those people have an opportunity to put their point of view.

On the basis of a particular submission, the director might determine that a particular region has a problem and that consideration ought to be given, for example, to limiting a declaration south of a certain parallel. Those people would only find out what the director is proposing by reading about it in the paper which sometimes arrives 10 days or a fortnight after being printed.

Mr Coulter: That does not help the case for 28 days.

Mr TUXWORTH: I am not arguing the issue of the 28 days. I am arguing a principle, which is the importance of allowing an opportunity for individuals to express their point of view about a declaration. If the minister is not happy with 28 days, he can change the length of the period. He might have a better idea. He might be prepared to write to every property owner concerning the declaration. If he is prepared to do that administratively without putting it in the act, that is fine. But nothing happens at the moment. Nobody knows until after the event and, by that time, it is too late.

Mr Chairman, I put it to you, and I ask the minister to consider it, that the only present recourse available to individuals who have a severe problem with a particular species it to try to destroy the pest that is causing them damage.

Mr MANZIE: Mr Chairman, I was not intending to participate further in the debate but the ignorance of the member for Barkly has forced me to my feet. The scenario painted by him is actually a good argument for not passing this amendment. If he understood the legislation, he would be aware that all animals and birds are protected. He would also be aware that, under the provisions of the legislation, a person such as a station owner can obtain a permit to kill or capture the species which is causing the problems.

If the opposition's amendment is passed, the farmer with the galah problem would have to advertise in the paper for 28 days while the rubbers were eaten off his windscreen, his aerials chewed up and so forth. The member for Barkly is describing the situation which would occur if this amendment were passed. He is also showing his ignorance of the fact that there is already provision for a station owner with particular problems to apply for permits to kill or capture the species which is causing them, provided that it is not in danger of extinction. I advise the member for Barkly, although he tugged at our heartstrings, to familiarise himself with the act so that he knows what he is talking about.

Mr Chairman, for the benefit of honourable members opposite, I repeat that the government will not be supporting this amendment. Apart from requirements which are specific in their application, such as in the Planning Act, there is no provision in any set of regulations which requires the government to advertise for 28 days before a regulation takes effect.

Mrs PADGHAM-PURICH: Mr Chairman, I would like to comment on what the member for Barkly said. There is already provision in the legislation, under section 29, for people to apply to the Conservation Commission for permission to kill a protected animal. The chap with the galah problem could have done that. Perhaps there is a need for the Conservation Commission to publicise that provision, especially to people who have an active interest in such matters. We do not, of course, want to see unnecessary killing of wildlife. That is why I particularly support the provision of the bill which allows farming and breeding of particular protected species under a permit system. The chap with the galah problem could even apply for a permit to farm or breed galahs and make a few dollars instead of having to replace all that rubber.

Being personally acquainted with Conservation Commission officers, I want to comment on what could have been construed as detrimental remarks about certain public servants in that commission. It relates to the fact that the CLP had the numbers on polling day and that we have a CLP government. Like it or not, the government decides who it wants as its senior public servants and so it goes, down through the ranks. In speaking to the opposition's amendment, I believe the Leader of the Opposition cast aspersions on the Director of the Conservation Commission or at least on that position. If the director is not doing his job, the minister can sack him or move him to another position and put somebody in his place. The reference to newspaper advertisements would relate only to protected animals. In view of the opposition's interest in conservation values - and it is probably clear by now that I will not accept the amendment - it should probably refer to the Conservation Commission rather than the director.

Mr TUXWORTH: Mr Chairman, I would just like to respond to what the Attorney-General said a moment ago. I will leave aside the personal abuse because it does not add to the content of the debate. I would say to him that, if he lives a couple of hundred miles from the nearest Conservation Commission office and he wants to obtain a permit to do anything about wildlife on his property, he would not down tools, head off to the nearest office, speak to the ranger, obtain a permit and then do his thing. I have been talking about a man who manages a cattle station of 1500 square miles with 30 000 cattle and a work force of 60 or 80 people. He has plenty on his plate without farming galahs or being worried about how to exterminate them. He is not totally sympathetic to the idea that they ought to be able to hover around his station and just pick it to bits.

Mr Manzie: Has he heard of the radio?

Mr TUXWORTH: Mr Chairman, my understanding of the situation is that, before officers of the Conservation Commission issue any permits, they like to have a look at the situation themselves. The officer comes out, looks at the situation and then makes a determination. My comment did not particularly concern that. It concerned the opportunity for the station owner at some stage to put his point of view in relation to decisions concerning the protection of particular species in his area. Maybe that is an unreasonable proposition or maybe there is some middle ground.

Mr Manzie: Maybe he could use his phone, Ian. He has one at Rockhampton Downs. His number is 644548.

Mr TUXWORTH: That is quite true, Mr Chairman, but it so happens that No 14 bore, 50 miles from the homestead, is not on the phone. My point is simply to support the right of a station-owner to make a submission or put a proposition before the Director of the Conservation Commission that perhaps in a particular area or right across the Territory, a species should not be declared protected for a whole range of reasons. That is all I am talking about. If the Attorney-General wants to reflect on the adverse conditions and isolation that people have to deal with, let him go ahead.

Amendment negatived.

Clauses 9 and 10 agreed to.

New clause 11:

Mr MANZIE: Mr Chairman, I move amendment 24.3.

This clause expands the regulation-making powers under the act to allow limitations on permits to be contained in regulations. At present, the act arguably envisages permit provisions and regulations to be independent of one another. The amendment changes that presumption by spelling out that regulations may impinge on the powers to issue permits.

Mrs PADGHAM-PURICH: Mr Chairman, I would like to ask the minister a question. Why does this clause amend section 123 of the principal act when the matters it refers to would be much more appropriately dealt with under section 43A of the act?

Mr MANZIE: It is because the draftsman thought it was more appropriate to include it in section 123. I am not about to argue with that.

Mrs PADGHAM-PURICH: Mr Chairman, that is not good enough. It is a bit like saying that black is black because it is black. I believe that this legislation has been put together clumsily and there will be trouble in the future because of that.

New clause 11 agreed to.

Bill passed remaining stages without debate.

GRAIN MARKETING AMENDMENT BILL
(Serial 77)

Continued from 25 February 1988.

Mr SMITH (Opposition Leader): Mr Chairman, the opposition has indicated its support for the granting of urgency for this legislation. I rise to indicate our support for the legislation itself. Essentially, the bill allows the Grain Marketing Board to borrow money for the purpose of paying farmers a small proportion of the value of their crop, notwithstanding the fact that crops are often stored and not sold for months or years. That is consistent with the practice in the states, particularly that of the wheat and barley boards. Obviously, it makes some sense. A situation can arise in the agricultural industry where the grain can be harvested but, because of market circumstances, might have to remain in warehouses for a time, during which

there would be no income either to the Grain Marketing Board or the farmers. I think it is appropriate that the Grain Marketing Board have the power to borrow money to cover that particular circumstance.

The one reservation that we have relates to section 59 of the Grain Marketing Act which, I understand, excludes the Grain Marketing Board from having to comply with the provisions of the Financial Administration and Audit Act. The Grain Marketing Board will presumably be dealing with large sums of money when this bill becomes law - perhaps the minister could tell us how much is likely to be involved in the borrowing program - and, given the borrowing power that it will have, there is every reason for the board's operations to be subject to the Financial Administration and Audit Act and, therefore, subject to scrutiny by the Auditor-General.

To summarise my 2 questions: firstly, how much money is it contemplated will be borrowed by the Grain Marketing Board to meet these new obligations? Secondly, does the minister concede, now that the Grain Marketing Board is to be able to borrow money, that its exclusion from the provisions of the Financial Administration and Audit Act might need to be reviewed?

Mr COLLINS (Sadadeen): Mr Speaker, I welcome the provisions of this bill which will allow the Grain Marketing Board to borrow money so that it can make initial payment to the people who grow the grain. I do not think that many members of this House have had the experience, which farmers have, of receiving their income during a very short period of the year and surviving for the rest of the year on that income. As members of the Legislative Assembly, we are paid each fortnight and that helps us to organise ourselves. The farmer often finds that he receives his income during a very brief period and has to manage that money so that it will last the whole year.

The farmer often has a problem in relation to the time when he receives his income and the end of the financial year. For example, if he receives his money around April or May, he may well want to spend some of it in a manner that will not attract tax or will reduce the amount of tax he is likely to pay. In that circumstance, he has to spend the money over a very short period and that is terribly inconvenient. If he spends most of his money at that time, he has to live on very little from July right through until he receives more money. It does make things difficult.

I am no lover of boards. The more I see of them, the less enthusiastic I am about them. There is a considerable debate in progress about wool, land and wheat boards. The farm journals contain a great deal of material about them, discussing their usefulness to the farmer. There are 2 schools of thought: one would prefer to get rid of the boards and undertake marketing without them; the other is more cautious and would rather preserve the boards.

Be that as it may. The point is that money is being made available early in the process so that the farmer can receive a percentage of his return earlier. That will allow him to pay some of the bills. Of course, if you have bills and you cannot pay them for several months, that generally means you have to take an overdraft and make interest payments, and I am sure that the people affected by that situation will welcome the contents of this bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to speak to this legislation, I indicate that I have no objection at all to its emergency provisions. In his second-reading speech, the minister detailed reasons for the introduction of this legislation and they are provisionally adequate in my view. Farmers growing grain in the Territory, especially in the Douglas-Daly

and Katherine areas, have had some bad years recently and the effect of these bad times would be compounded if they could not be paid a first or a subsequent advance on their crop before receiving their final payment. I believe any official help that can be given to these farmers should be extended to them.

I also ask the honourable minister when he will be introducing amendments to make the Grain Marketing Board a statutory corporation subject to the Financial Administration and Audit Act. I had intended to comment on that before the Leader of the Opposition spoke on the subject, particularly in relation to section 59 of the act.

I believe one should not refer to previous speeches or debates in the Assembly. I do not intend to refer to the debate that occurred previously and to which I did not contribute. Instead, I would like to mention a very interesting lecture which I attended recently. Amongst other things, it concerned the greenhouse effect which will become apparent in a number of years. I think the year mentioned was 2020. I do not think that the minister mentioned that date but it is well within the life expectancy, perhaps not of myself, but of other people who are still pretty active in this Assembly today. This greenhouse effect results from the hole in the ozone layer which, as everyone knows, has been caused by the use of pressure pack sprays like the ones which have inundated the market recently. Some results of the greenhouse effect will be a rise in sea levels, increased rainfall in the Northern Territory and warmer weather. Dry conditions will prevail in Western Australia and increased rainfall patterns in the Northern Territory will inhibit the growing of grain in the areas where it is grown now - the Douglas-Daly and Katherine. Whether grain will be grown further south or not is another matter, as is the question of whether it will be grown at all in the Northern Territory.

I believe that the Department of Industries and Development should be actively pursuing this matter. It has a bearing on this bill, on the Grain Marketing Act and on the whole issue of grain growing in the Northern Territory. The year 2020 is only 40 years away and that is when the effect is supposed to be felt. If it is not felt, scientific knowledge will have increased anyway. The greenhouse effect could be vital to the future of the grain industry in the Northern Territory and it is certainly not too soon for the minister to direct his officers in the attenuated Primary Industries Division to look into it. With the provisos I have mentioned, I support the bill.

Mr PERRON: Mr Chairman, I will respond to a couple of the points raised. I am advised that, whilst it is not envisaged that any borrowing limits will apply to the board, it is anticipated that borrowing will be less than $1m, at least in the foreseeable future. I point out to honourable members that borrowings by the board will be on terms and conditions specified by the Treasurer and I am sure that he will keep a close eye on its financial activities.

I am prepared to have another look at the exclusion from the terms of the Financial Administration and Audit Act. I believe that it was initially exempt from the provisions of that act because of the need for it to operate very quickly and efficiently in financial matters such as in arrangements for sales or in borrowings. It was envisaged that, in that respect, the Financial Administration and Audit Act might in some way constrain the board. I point out to honourable members that several sections in part VI of the principal act deal with the moneys of the board, the application of moneys, the opening

of bank accounts, the keeping of proper records, the appointment of auditors and so on. Quite clearly, the board has a statutory responsibility to carry out its business in a proper manner and there is no justification for believing that the arrangements are loose. However, I will ask the Grain Marketing Board to advise me and my department on the ramifications of bringing the board under the Financial Administration and Audit Act and whether there is any particular advantage or disadvantage in that course of action.

Motion agreed to; bill read a second time.

Mr PERRON (Industries and Development)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

STOCK DISEASES AMENDMENT BILL
(Serial 85)

Continued from 25 February 1988.

Mr SMITH (Opposition Leader): Mr Speaker, we have supported urgency for this bill and I now indicate our support for it. Very briefly, the bill will amend the existing legislation relating to chemically-caused diseases such as those relating to DDT. It is in response to a move initiated by the federal minister for a uniform national approach to these matters. The opposition supports this bill and supports its passage during these sittings.

Mr COLLINS (Sadadeen): Mr Speaker, this is an important bill. People have become aware during the last year or so of the implications, for the entire meat industry of the Northern Territory, of chemical residues in meat. It has alerted many people to the problems of chemical use in horticulture and agriculture and its impact on the produce which these chemicals, if used properly, help to produce. The matter has been taken quite seriously by the horticultural and other industries. I read recently an article which said that 200 foodstuffs which came into the Sydney market were tested for chemical residue levels and that all came through with a clean bill of health.

The use of chemicals is a problem in many ways. All states have regulations about what amounts of chemicals can and should be used, withholding periods and so forth. I am sure that the people who produce and test these chemicals take care that there are large tolerance levels to ensure that consumers are safe. Some farmers, however, cannot read. There have been occasions when they have used chemicals far too heavily. I was pleased to find that the study at the Sydney market showed chemical residue levels below the accepted minimum. Such surveys indicate that people want to know what is happening and I dare say that, eventually, the public will demand random testing of foodstuffs for evidence of chemical residues.

By the same token, the agricultural and horticultural production of food in this world would be greatly hampered without chemicals. It would be beaut to be able to do without them but it just does not seem to be possible. It has been said that the Irish potato famine could have been prevented with just a few hundredweight of copper oxychloride, a very simple chemical which would have killed off the potato blight. That famine devastated Ireland, causing starvation, the break-up of families, mass emigration and so forth.

One problem which concerns me personally would also be of concern to the minister who is interested in other grape farmers around the traps. It relates to dieldrin, one of the banned chemicals. It was used with potatoes and there are some properties, now quarantined, which cannot be farmed for another 20 years because of it.

In the Territory, we have white ants which love the nice, tender material of grapevines. Some Territory grape-growers made the fundamental mistake of not using any chemical in the ground to deter white ants. Later, when they found that their vines were being chewed up at an alarming rate, they poured as much as a litre of chemical - not dieldrin but a similar product - around each plant. I do not believe that doing that controlled the pest. I put dieldrin under my plants. It was the recommended thing to do. There was no problem with that; it has been done Australia-wide and it has been determined that the residues do not reach the fruit. Now that dieldrin has been banned, I would ask the minister what chemicals his department recommends to treat the problem of white ants. Is there something which is at least reasonably effective? It is an important matter for the grape industry. I have a personal interest in it but many other people are also interested. I believe that all members understand the need for this uniform legislation and I certainly support the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I support the legislation. It had to come. The situation with regard to toxic residues of sprays, tickicides and acaricides in meat is well-known to anybody who reads the newspapers. As the economy of the Northern Territory relies heavily on the meat industry, we do not want to experience the problems which have arisen interstate where some properties with high pesticide levels have had to be quarantined.

One point which has a bearing on the amendment was borne out in a recent article in The Australian. Pastoralists and farmers are now pointing out that, until very recently, their use of all sorts of sprays, tickicides and fungicides has been on the recommendation of government departments. People who have made such recommendations, many of them agricultural scientists like myself, have done so as public servants with the authority of government. It is therefore reasonable, if in the future there are cases of severe toxicity in meat due to the use of pesticides, that the government should recompense the pastoralists and farmers involved. That is fair in the light of advice given by the government through its officers in what is now the Department of Industries and Development.

I believe legislation like this will increase the use of biological and other forms of pest control which offer an alternative to the use of sprays and toxic solutions on animals and properties. As far back as I can remember, which is a pretty long time, I have kept dogs. When we first came to the Territory, the problem of ticks on dogs was not as bad as it is now. Dog owners are often advised to use poisonous sprays on dogs to get rid of the ticks. One of the rinses recommended by veterinary specialists is Asuntol. I do not know whether it has been prohibited or is to be prohibited. If one buys a container of this solution from a stock and station agent, one reads on the label that it should be applied to stock on a quiet day when there is no wind or breeze, that protective clothing should be used, that one's face and hands should be covered and that any solution sprayed on the person applying it should be washed off immediately.

When applying the rinse to dogs, one dips the animals in the solution or applies it by hand. No mention is made relating to the use of protective

clothing. The dog is wet for a while, then the solution dries on the coat. At some time during that day or the next, if it is a pet dog, someone will pat or stroke it. That person might have sweaty hands or legs, particularly at this time of the year, and that contact with some of the dry residue from the dog's coat will lead to absorption through the person's skin. The residue of the solution will be absorbed by the moist skin.

The point I am making is that for years I have followed what might be called 'greenie' practice. I have used sprays very rarely. My husband and I very seldom use sprays or any poisons on our property. We have quite a few weeds, but we have tried to get rid of them by mechanical means. Unfortunately, we do have to use poisons and sprays occasionally. With regard to livestock, I prefer biological control. In the case of ticks on dogs, biological control is picking the wretched little things off by hand.

There is a sneaky aspect to this legislation. It talks about the subject of toxic residues in a roundabout way but does not address the issue directly. The minister addressed the issue in his second-reading speech and, whilst I have no argument with the content of that speech, I have a problem with the content of the bill. Again, it is legislation by obfuscation.

Clause 3 bears the heading 'Declaration of Restricted Areas Etc' and I have a question for the minister in relation to it. I understand that section 22A of the Stock Diseases Act says that an inspector can go on to a property and perform an inspection relating to a source of infection. This amendment will allow, however, an inspector to go on to a property in circumstances relating to 'a source of infection' and 'where stock in a holding area are, or are likely to be, diseased or affected by a prescribed disease'. I would like the minister to address the topic of what would occur on such a property. Obviously, the inspector would make a declaration about a future course of action in the light of knowledge at his disposal. I would like to think that the power under this section would not be treated lightly nor be used too widely. I would like to think that it will be used with a great deal of thought and consideration. I would like the honourable minister to address that question. I have no objection to other parts of the bill and I support it.

Mr PALMER (Karama): Mr Speaker, I rise briefly to address one of the issues raised by this bill. I refer to the proposed amendments to sections 42 and 48 of the act which will empower inspectors appointed under the act to destroy terminally-injured or stressed animals. Whilst not disagreeing with the intent of the act to enable injured or stressed animals to be dealt with humanely, I am concerned with the possibility of abuse of the powers conferred on inspectors by these amendments. The subjective view of an inspector as to what is a terminally-stressed beast undoubtedly, on occasions, will be questioned by the owners of such stock. It would be my expectation that, in exercising their powers under this act, inspectors of stock would give due cognisance to the views of an owner as to the state of any particular beast. I would prefer it if the legislation contained some form of safeguard in favour of the owner which, at least and where practicable, required an inspector to consult with the owner or his agent before proceeding to destroy any such beast.

Obviously, there will be circumstances where the owner or his agent will not be available or where there is disagreement as to the condition of a particular beast. Generally, I would urge those intending to exercise their powers under this act to do so with the utmost discretion. In the light of those few comments, Mr Speaker, I support the bill.

Motion agreed to; bill read a second time.

Mr PERRON (Industries and Development)(by leave): Mr Speaker, I move that the bill be now read a third time.

In doing so, I will take the opportunity to respond to a couple of questions raised by the members for Sadadeen and Koolpinyah. The member for Sadadeen asked what products other than dieldrin a prospective or current grape farmer might use. I have to advise him that dieldrin has not been totally banned in the Northern Territory. Registered pest exterminators are permitted to use it at present. However, notwithstanding that, I would urge him and other persons in the agricultural industry to do their very best, in their own interests and in the interests of the Northern Territory, to avoid the use of dieldrin if at all possible together with any other partly-restricted or banned organochlorines. I recommend that they consult with the experts in the Department of Industries and Development, in the various locations they work from around the Northern Territory, on what would be the most suitable products for spraying on the ground and or vegetation to control white ants.

The member for Koolpinyah suggested that everyone who has used organochlorines has done so with government advice and that perhaps the government owes some of these people some form of compensation. I suppose there may be some people whose properties become quarantined because of excess residue levels who have acted on government advice in terms of pesticide use. However, I would suggest that a great many people responsible for such properties have not done so. Products like dieldrin have been in common use around the country for many years. It is a product that has been promoted by its manufacturers, naturally enough, and it has been freely available to people through shops all over the country. I would suggest that many people have used the stuff in the past in good faith, in accordance or not in accordance with manufacturers' directions, and that the government should wear some blame for that. However, people have rights under common law. As honourable members may have read in a recent edition of The Australian, some farmers in Victoria, who face possible economic ruin as a result of their properties being quarantined, are seeking to mount a case against the Victorian government for compensation. It is the right of individuals in this country to sue people whom they feel have injured them in some way.

The member for Koolpinyah's last question related to clause 3 which amends section 22A to allow an inspector to take certain actions, not only in relation to properties which are clearly demonstrated to have been carrying unreasonable levels of contamination beyond that prescribed, but also in relation to stock that are 'likely to be diseased or affected by a prescribed disease'. The honourable member took issue with those words. She may recall that there is other legislation in the Northern Territory under which the police may take certain actions in regard to premises if they believe a crime is about to be committed. They do not have to wait until they have evidence that a crime is being committed. The principle is the same. If one refers back to the principal act, it is clear that the clause relates not only to properties but also to vessels, aircraft and vehicles. It gives the stock inspector the power to go on to a property if he has reasonable cause to believe that it is in such a state that animals may be contaminated or catch disease.

It is unfortunate that dieldrin and similar chemicals are so potent that the spraying of old wooden fence posts or of a few tufts of grass which may grow around the base of those fence posts could result in cattle reaching the

abattoirs with unacceptable residue levels. Once a property has been identified as having unacceptable residue levels, it will need to be quarantined until certain actions are taken, even though it may not have any stock on it. The honourable member need not fear that that clause will give unreasonable power to an inspector.

Mr COLLINS (Sadadeen): Mr Speaker, I appreciate the minister's remarks regarding the use of dieldrin and the fact that it may still be used by registered pest exterminators. I would like to assure honourable members that dieldrin is used on my property as follows. The places where the vines are to be planted are marked out and a deep gutter is ripped along that line. The dieldrin is sprayed a foot below the surface from a single jet at low pressure so that is does not spread very far. The next operation is to fill the dirt in so that the dieldrin remains a foot or two below the surface. That ensures the safety of any workers. People are not likely to reach that depth in the course of weeding or carrying out other tasks. The disadvantage of that method is that white ants which enter the vines above the level of the dieldrin are not killed. Other methods have to be used to control them.

There is a particular grass-eating white ant which eats the bark of the vines and kills them. The white ants fill their holes with dirt in order to prevent the black ants attacking them. I brush out the dirt with a wire brush and spread a few white ants on the ground. The black ants then clean up the white ants. I have found that method to be quite effective despite the giggles of my neighbours.

Mrs Padgham-Purich: It's called black power.

Mr COLLINS: Yes, it is black over white in this case.

There is also a very useful chemical called Mirex which has been developed in the Top End by Roger Rooney. I am sure the Top Enders know that it is used to control the big white ant.

Mrs Padgham-Purich: You put it in raspberry jam.

Mr COLLINS: As the member for Koolpinyah says, it is mixed with raspberry jam. It is a chemical which does not kill instantly. It takes 3 or 4 weeks, which allows time for the white ants to take it back to the colony. It is a very effective chemical. I have had some vines that have been virtually hollowed out. It is a Territory invention which is very effective in controlling the large white ant.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr COULTER (Treasurer): Mr Speaker, I move that the Assembly do now adjourn.

Mr POOLE (Araluen): Mr Speaker, I rise tonight to address a matter of concern: the constant comment from the opposition about CLP fund-raising. Last week in this Assembly, both the member for Stuart and the member for MacDonnell made comments that many people would regard as slurs on the characters of certain individuals or companies in the Northern Territory. Members opposite seems to forget that many people whom they knock as tall poppies simply because they are seen to be CLP supporters are, in fact, working class men who have worked hard over many years and eventually enjoyed

success. The ALP have forgotten that they were just like the hundreds of people whom they now employ: hardworking truck drivers, labourers, fishermen and so on.

There is a saying that people who live in glass houses should not throw stones. It is no secret that all political parties spend money on advertising and on their organisations and, of course, this money must come from somewhere. All political parties are covered by laws about public disclosure which were made by the federal ALP government. Of course, the same laws have got the ALP into all sorts of trouble - witness Mick Young and the woodchip saga.

The carping of members opposite suggests that they would like some rules for themselves and different rules for everybody else so that they can cover their own tracks. There is no denying that some people who contribute to political parties do not want their names splashed about publicly. That does not mean that they are doing anything wrong. In fact, most contributors request that the political wing of the party does not even get to know about their support. The ALP realised that most people would not contribute at all if they thought that information about their contributions would end up in the media.

Let me give you some figures about the ALP, Mr Speaker. Firstly, I should tell you that the ALP in the Territory only spent $1000 or $2000 on the federal election campaign which resulted in the election in the Northern Territory of one ALP senator and one ALP member of the House of Representatives. The rest of the money must have come from its masters in Canberra. Its ALP masters in Canberra have stated publicly that they spent some $7.5m on television, newspapers, radio and printing for the July election but, strangely, they collected only some $2.98m - or so they say. That is a shortfall of over $4m. Surely that does not mean that they still owe the media barons - Murdoch, Packer, Bond and so on - the sum of $4m. I doubt it.

The ALP actually owns up to receiving $2.9m. Nearly $2m of this came from a company called ALP Gifts and Legacies Ltd. I wonder what that company is all about, Mr Speaker? Will the Electoral Commission be splashing ALP Gifts and Legacies Ltd all over the press? Will the ALP be calling for investigations into its own little slush fund? Where did the $2.9m come from: rich friends, rent, interest? Mr Speaker, fair is fair. Members opposite should stop casting slurs on business people in the Northern Territory. If they and the federal government want genuine, full disclosure, let them clarify the law and then let it apply equally to all. ALP Gifts and Legacies Ltd is no different to the CLP's Carpentaria. The practices of Carpentaria are no different to those of ALP Gifts and Legacies Ltd. Let us end this nonsense once and for all and apply the same rules to all parties.

Mr SMITH (Opposition Leader): Mr Speaker, I wish to respond briefly to the member for Araluen. I am sure he will be pleased to know that the rules governing the requirements for disclosure of donations to political parties have been tightened and, for the next federal election, there will be no excuse for either the federal ALP or the Country Liberal Party in the Territory to hide behind shelf companies like Carpentaria or whatever the ALP company is called.

Mr Poole: ALP Gifts and Legacies Ltd.

Mr Coulter: Haven't they told you?

Mr SMITH: Unfortunately, they didn't tell me about that but I am pleased to join with the member for Araluen and say that the same rules should apply to all. Personally, I am very pleased that the federal government has moved to tighten that aspect of the law so that companies which make donations in excess of $1000 to political parties should expect that the price they pay for making those donations is that the donations are made public.

I cannot see any cause for complaint about that from anyone who looks at the political process objectively. I think that the woodchipping incident in New South Wales, and other incidents that have arisen from time to time, are very good evidence of the need for such provisions. The sooner we grow up and recognise that it is right and proper for companies to make donations to political parties and that it is also right and proper that the public sees who has made donations and the extent of those donations, the better off we will all be. I would hope that eventually the Northern Territory itself will progress to the stage of having its own legislation covering donations to political parties to support their election campaigns in the Territory.

My main reason for rising tonight is to talk about the CSIRO's positive response to a letter of mine concerning the further processing of crocodile products in the Northern Territory. All honourable members will be aware that there are 3 crocodile farms in the Northern Territory, all of which are basically preparing skins for export. We have now reached the stage where a significant number of skins are being prepared. I had the pleasure of visiting the crocodile farm at the 17-mile recently and having a look at the processing operation. If anyone has a spare couple of hours to do likewise, I can recommend it. It is quite an eye-opener to see what happens. The process requires a great deal of care and attention and the skins which are the final product are of very high quality.

We have a legal impediment within Australia at present. Under federal legislation, it is illegal to process crocodile hides within Australia. When the crocodile was an endangered species, the decision to ban processing of crocodile products made sense in terms of conservation. However, we have now moved out of that stage and we have a commercial crocodile industry. I think it is time that the federal government made some move to provide for the processing of crocodile products within Australia. I understand that the federal government is not opposed to that. It is not acting all that fast on the matter but there is some room to move and I am hopeful that we will see a relaxation of the law in the not-too-distant future.

As I have said, we have no tanning industry in Australia. Apart from the legal barrier, there is also a lack of expertise. Countries which have such expertise, such as France and Japan, guard it closely. It is a bit like when John McArthur brought the first sheep into Australia. The techniques of the tanning industry are a closely kept secret in those countries which specialise in them. The end result is that, at this stage, we are sending our skins overseas rather than engaging in value-added production in the Northern Territory. We are not manufacturing or exporting products like footwear and bags manufactured from our crocodile skins.

We have some of the best hides in the world. They are A-grade hides. I think a great opportunity exists for adding value to the hides before export. Of course, Darwin is strategically placed through its geographical position. We have the Trade Development Zone and a labour force that is young and could easily be trained. In my view, it is a logical place for the development of a tanning industry.

I was aware of the excellent work carried out in CSIRO's hide, skins and leather program and some weeks ago wrote to the Chairman of CSIRO asking whether development of an appropriate crocodile hide tanning technology could be a logical extension of that work. The chairman has responded to me, and I am pleased to say that he has responded enthusiastically. The CSIRO hide, skins and leather group apparently has the fundamental knowledge, background and skills to devise and provide an appropriate tanning procedure. If the industry were able to provide modest support, that group would be able to devise and prove a technology within 6 months. To make this worth while, however, there would need to be an assurance that a pilot plant, which might cost up to $250 000, would be established in the Northern Territory to apply this technology.

The economics of a venture in the Territory might be improved by processing cattle hides through to the wet blue stage which, in financial terms, would probably be more rewarding than tanning crocodile skins. The CSIRO believes that an economic feasibility study is needed and I understand that is already being undertaken by the Department of Industries and Development. Should such a study raise serious doubts about the viability of a local tannery, CSIRO believes the answer might be to link up with an existing tannery elsewhere which might be prepared to invest resources in the tanning of crocodile skins. There are 2 small tanneries known to CSIRO which are already doing this in a small way and a couple of large tanneries have had past experience in exotic skins including, in one instance, crocodile skins.

I have already sent a copy of the letter to the honourable minister and I hope he has received it. It is an exciting possibility for the Northern Territory. I was very pleased by the CSIRO's positive response. I know that the minister is on record as sharing my enthusiasm for the future expansion of the crocodile-skin industry. In order to spur things along, it may be necessary to make forays into Queensland and Papua New Guinea to talk about whether it might be possible for crocodile skins from those places to be processed in the Northern Territory. With the offer from the CSIRO to provide technical assistance, I think we have a unique opportunity to get more out of the crocodile-skin industry than we have in the past.

The crocodile industry has taken significant steps during the last 6 months. Until about 9 months ago, Territory crocodile meat was not available. It is now available.

Mr Perron: Legally.

Mr SMITH: Legally, thank you. We are now sending crocodile skins overseas on a regular basis. The industry has grown up and it is time for everyone concerned, whether at Territory or federal level, to consider how we can increase the financial returns to Northern Territory people. If the government were disposed to take up my suggestions, that would be a very positive start.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I would like to briefly pay tribute to a man who passed away last night at Elliott. I speak of Roy Friday who apparently suffered a heart attack. Roy was a councillor on the first community government council at Elliott, which was inaugurated in December 1985, and he never missed a meeting. He was also a member of the housing association which has featured prominently in recent times. He was an active supporter of the housing of people in both the north and south villages of Elliott and put a lot of effort into that. It was certainly no fault of his that the association has come into some disrepute.

Roy was well-liked in the whole Elliott community. He was particularly concerned about youth problems. On a recent visit to Elliott, I took the opportunity to look at the new hall that is being built at the bicentennial park. Roy was very much behind that project and was very deeply concerned about providing some activities for the young people of Elliott who certainly were in no position to find employment. Roy was originally from Borroloola, but he has lived in Elliott for some years. As I have said, he took a very active part in the town and in its development. He was a representative of the area on the Northern Land Council. He leaves a wife, Bobbin, children and grandchildren and I extend my sympathy to them.

While I am on my feet I would like to pay tribute to the group of young people who took part in the recent Skill Olympics. Last year, I had the opportunity in Darwin to attend a dinner and other functions associated with Work Skill Australia. I saw the excellent work that is being done by young tradespeople in this country. We have been told over the years that our workers are unskilled and cannot compete with other nations. I believe, however, that we have the skills in our community. They often do not come to light, but people are performing at very high levels in our industries. They do not blow their own trumpets but their work speaks for itself. The recent Skill Olympics in Australia was the 29th such event but, I understand, only the third in which Australia has competed. There were no Territorians in the Australian team but there were a number of Australians from other states and Australia did extremely well.

The person I would like to highlight tonight is a Territorian, Tony Pearce. He was a team leader for the national team and coach for industrial electrical wiring. Australia won gold in this division at the 29th Skill Olympics held in Sydney between 18 and 21 February this year. The Australian team finished third overall, its best result so far, behind Korea and Taiwan. Tony Pearce was the Territory's top apprentice in industrial and electrical wiring in 1982 and went on to win the national title. He represented Australia in the 27th Skill Olympics, finishing 6th, Australia's best result until that time. He was asked to assist in judging the national titles and to submit ideas for how the competition should be run. His system was chosen from about 18 other entries. He was invited subsequently to judge at the 28th Skill Olympics where the industrial wiring competition was conducted using his ideas. The Australian entrant came second. Tony has his own business in Darwin and a measure of his commitment is that he is prepared to donate his time and efforts to help others become more skilled.

Skill Olympics began in 1950 with a competition between Spain and Portugal. Spain, the prime mover, has hosted 11 competitions. It is now sponsored by international vocational training organisations and there are 28 member countries. Among those countries are the United States, the United Kingdom, Japan, Germany, France, Switzerland and Australia. Australia, competing against those nations in the 29th Skill Olympics, came third to Korea and Taiwan. That is a remarkable achievement. As I said earlier, we have been told many times that we cannot match Asia in work skills whereas it is quite clear that we can. We managed to win 4 gold medals in bricklaying, automotive mechanics, plant mechanics and industrial wiring, 5 silver medals in stonemasonry, turning, industrial electronics, plumbing and jewellery, and 3 bronze medals in electric welding, gas welding and cookery. That speaks volumes for the skills of Australians and developing attitudes to the need to gain skills. I want to place on record the achievements of the young people who took part in the Skill Olympics in Sydney and I suggest they are most worthy of our commendation.

Mr FINCH (Leanyer): Mr Speaker, whilst a number of quite lofty matters have been discussed in the Chamber today, I would like to raise a matter which might not be a significant affair of state but which might draw substantial bipartisan agreement. Tomorrow, the NTFL Australian Rules football side plays its first match in the Australian Bicentenary Championships in Adelaide.

Mr Bell: I thought you were a rugby man, Fred.

Mr FINCH: Mr Speaker, it is true that I was born in the rugby-playing portion of the country and that I remain a keen rugby fan but most rugby people have broad minds when it comes to sporting matters. Since arriving in Darwin, I have not only been a keen observer of Australian Rules but a very staunch supporter of the two-blues, the Darwin Buffaloes.

No doubt honourable members will join me in wishing the NTFL side all the very best for tomorrow's inaugural interstate match. The NTFL is already starting to develop some of its own traditions. It has chalked up some fantastic results in the last 4 years against North Melbourne, Glenelg, the Sydney Swans and Essendon, convincingly defeating each of those heavyweight interstate sides. That augurs well for tomorrow's game against Tasmania. It will be interesting to see how our players manage away from the substantial encouragement of local crowds, as occurs on the Australia Day fixtures. The NTFL side is fit, skilful and extremely fast and I am sure that it will acquit itself well.

The side has a great understanding. Many of the players are related and have played together over a long period. I must concede that most of the team comes from St Mary's which has managed to win the last 4 Darwin premierships. Sadly, St Mary's is not likely to win this year because it is up against the greater tradition of the Buffaloes Football Club. I would like to relate some of that history to honourable members. The club has a great family tradition, taking in families like the Coopers, Damasos, Bristons, Lew Fatts, Bonsons, Angeles, Castillons, Ah Matts and many others.

The story of Buffs also relates to Darwin's social history. The club's membership comes from a very broad cross-section of our cosmopolitan community. The club was originally formed as Vesteys, back in 1917, when many of the players worked at the meatworks at Bullocky Point. It was one of the foundation teams of the NT league, along with Waratahs and Wanderers. Vesteys won its first premiership in 1921-22, followed by flags in 1924-25 and 1925-26.

An unfortunate incident occurred in 1926-27 which sporting people would never want to see repeated in Darwin. It occurred during a Waratahs-Vesteys match when the Vesteys skipper, Jack McInnes, called his team from the field, alleging that it was not getting a fair go from the umpire. The umpire's name was Alan Maguire. The league, which was then called the North Australian Football League, subsequently barred all Aboriginal and part-Aboriginal players from the competition. Honourable members can imagine the impact such an action would have on today's NTFL side. There would probably only be 4 or 5 players left in the team.

The balance of the team carried on for the remainder of the season. In the following year, Vesteys was banned from the competition and the Buffaloes Football Club came into being. The team resulted, as many sports organisations and clubs do, from a discussion in the local pub. In this case, it was the old Terminus Hotel in Cavenagh Street. The league lifted the ban on part-Aboriginal players in 1929 and allowed 4 players back into the

competition that year. From then on, of course, there was progress towards the encouragement of all players to participate. We are all very conscious of the skills that many full-blood Aboriginals, particularly those from the Tiwi islands, bring to the game.

Another sensation occurred in the 1933-34 grand final when Waratahs claimed that umpire Kelly, another Irishman, had been bought off by Buffs. They demanded that another umpire be appointed but the league stuck to its guns. Tahs spat the dummy out and failed to front for the grand final. The umpire bounced the ball and, with 1 kick at the goal, there was another premiership for the Buffs.

Between 1926-27 and the bombing of Darwin in 1942, Buffs were the backbone of the competition. They played in some 12 grand finals, winning 4 of them. When football was resumed after the war, in 1946-47, Waratahs beat Buffs in the final of that year. In the following years, Buffs won a record 4 premierships in a row. They equalled that record between 1967 and 1971. As I suggested earlier to the member for Koolpinyah, whom I know to be a St Mary's fan, Buffs will be the team to prevent St Mary's taking off a record 5 wins. Buffs have played in 26 grand finals since the war and have won 13 of them. Buffs players have won 8 Nichols medals.

In conclusion, Buffs is certainly a club with a great tradition. It has been promoting its juniors which shows in the number of 17-year-olds to 19-year-olds who took part in last year's grand final and have continued their fine efforts this year. That promotion of young players and overall consistency will lead to greater things for the Darwin Buffaloes Football Club.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, I would like to comment on a socially undesirable practice which is increasing in its incidence and is perpetrated by an uncaring, callous and prurient media. I refer to the unnecessary, unfeeling and obdurate recording by media representatives of road accidents and vicious crimes in all their sordid, heartbreaking, sad and salacious detail, all to titillate a public that is becoming more and more hardened to individual misfortune through the unnecessary, undesirable and biased repetition we are presented with continually in the name of selling more newspapers or increasing TV ratings by a notch. How many people can forget the debased quality of reporting in relation to the crime committed against that most unfortunate young woman, Anita Cobby, which, through its prurient recording of every raw detail, set out to debauch the sensitivities of all nice, normal people in the community.

In all the crimes to which I am referring, there is a victim. Increasingly, those victims are women and children. Why is it necessary to put these people, if they are still alive, through the added stress and trauma of parading in public all the gory details of the crimes committed against them? The majority of reporters in these cases are men, not women. I believe that they must be trying to prove something macho by preying on defenceless victims who are not in a position to agree or disagree to publicity. Some men, I must say! I have it on good authority that the police had to intervene to move on certain representatives of the electronic media reporting a fatal accident on the Bagot flyover because they were seriously impeding the work of St John Ambulance personnel.

I am not saying that women do not show these aggressive, uncaring attitudes. On the whole, however, women think of the other fellow's feeling. No woman whom I know, Mr Deputy Speaker, would have reported the Anita Cobby

crime in the sensational, sickening and sexually detailed way it was reported. Not only is our present-day media coverage of violent personal crime and accidents extremely harrowing to surviving victims, but for the near relatives it is a harsh, repugnant and lacerating experience which despoils the usual sympathetic feelings experienced by normal people in such circumstances. Does the media show compassion? No, only callousness and hardened indifference, all for the price of a newspaper with eye-catching headlines.

Mr Deputy Speaker, I would like to ask these big-shot, crash-hot reporters a question. Would they have reported the murder of Anita Cobby as they did if she had been their own sister, cousin, daughter or mother instead of someone else's? A couple of days ago, a television report of an accident showed a close-up of the bloodied, damaged victim. It is just as well it was not one of my relatives because, if I had been in a fit and healthy condition, the reporter would not have been. He might have had a mischief done to him or his instruments! Where is old-fashioned courtesy, kindness and humane feeling? Showing that poor man at such a disadvantage was the height of callous disregard for another's feelings. Such behaviour is the equivalent of commenting unfavourably on a man being blind or having a colostomy or a woman having a mastectomy.

In their defence, the representatives of the media will probably say that the public must be kept informed and it is the media's absolute duty to push in everywhere and record every drop of blood spilt, every tear-stained face, every burnt baby and every broken and twisted body because, if one reporter does not do it, another reporter will. I say it is not their duty; it is just a con and the media has pulled the wool over our eyes. Its representatives tell us that good news will not sell a newspaper or improve ratings, but no one has tried for very long. The public does not have to know by some divine right, as the media would have us believe, how may died in Beirut today, how many were bombed in Belfast or how many starved to death in Ethiopia. I am not being callous in mentioning this. The media only uses its old self-perpetuating slogan about the public's right to know every sordid detail from every corner of the world to justify its existence.

It is time the civil rights of victims of accidents and violent crimes, and those of their relatives, were considered in terms of personal privacy. Everyone is entitled to personal privacy and people demonstrate their desire for it by spending much of their time in private situations away from public intrusion. If the media intruded into the privacy of persons sound in wind and limb, as it does with accident and crime victims and their relatives, it would get more than it bargained for. For the media to record the distress of victims and relatives in such harrowing situations is to play the role of a peeping Tom, a role which is held in pretty poor regard in any community.

To conclude, I believe it is time that reporters of all branches of the media and their employers examined closely the ethics of the collection and presentation of news to the public because, in my opinion, there is considerable room for improvement.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I would like to raise a couple of matters tonight. One relates to communications for people in remote areas of the Territory and the impact that Imparja is having on television services for some people. I have received a representation from the Associates of the Katherine School of the Air who now find that, as Imparja has come on-stream, they lose the benefit of the Golden West Network signal throughout the remote areas of the Territory. As the associates so reasonably claim, it is a bit unfair for them to suffer this loss because the Golden West Network is

providing a 14 to 16 hours-a-day service of programs right across the spectrum and this service is particularly important to those people who live in the western regions of the Territory and have connections with Western Australia. It does not have the same impact on people who live in Groote Eylandt or Nhulunbuy, although the Golden West service is certainly appreciated there.

The associates are saying that Imparja has started well with pretty good programs, but that the number of hours of transmission each day is actually quite limited and that puts them at a serious disadvantage because they have gone from 16 hours down to about 2 or 4 hours a day, depending on the day and the programs that are being offered. I think it is time that the federal Minister for Transport and Communications intervened in this matter and made up his mind once and for all whether we are to lock people out from access to programs that can be transmitted reasonably from the satellite. I guess the bottom line is that, if we can have 10 signals from the satellite and 90% of the rural areas of Australia can receive them, why shouldn't they have them? Why should we have this system of blocking people off from existing services just to maintain the states-rights approach of making people in Western Australia watch GWN, Territorians watch Imparja and Queenslanders watch Q-Net or whatever? In the early days, it was pretty simple. The signals would not go very far and no one had to worry about it. But we are in the world of new technology where just about every Australian can receive any signal that comes off our satellites. It is becoming stupid for us to deny people anywhere in the country access to satellite signals that could reasonably be received.

Mr Deputy Speaker, the Associates of Katherine School of the Air have written to the federal Minister for Transport and Communications, Senator Gareth Evans, to seek his intervention in this matter. I must say, in all fairness, that it was only a matter of time before this situation arose. Now that it has done so, we should deal with it head-on and dispose of all of this business of boundaries so that people can watch whatever is available. There is plenty of talk about government interference and censorship or control over people's lives and the things that they like to watch and not watch. This is a prime example of Big Brother in Canberra determining what people in remote areas of Australia will watch, whether they like it or not.

So far as Imparja is concerned, I feel I ought to make this comment. Many people in my electorate and the remote areas are very cranky about the way Imparja started off. They are very cranky with the amount of federal government money that is being pumped into a television station that competes with commercial enterprise. It is unfair. What they say - and they are most appreciative - is that, so far, Imparja is providing good programs and good reception but there is not enough of it. The general feeling in the bush is: 'We think it is terrific. Keep it coming. We hope Imparja doesn't drop its game because it is doing a pretty good job'.

It is no secret that I was one of the greatest critics of the granting of the licence to Imparja. However, since it has the licence, I think it is time we all got behind it and gave it a fair go. To the government's credit, it has contributed financially even though the money had to be squeezed out of it with a wringer. Imparja is off and running and it is important that it continue. That, however, should not preclude people in the Territory from watching programs that they enjoy and which are transmitted by the Golden West Network.

There is one other matter that I would like to raise tonight and my comments are directed particularly to the Minister for Health and Community Services. I refer to a very important issue concerning cemeteries. This

matter may not be high on the minister's list of priorities but I raise it because, if something is not done pretty quickly, the cemeteries that I am about to refer to might be very hard to find; they might be destroyed or be overrun.

Some time ago, steps were taken to make the old cemetery at Borroloola an official cemetery and to have it placed in the hands of local government. There was no council in the area at the time but the idea was that it be placed in the hands of a local government body which would look after it. I see 2 ministers are pointing at each other. They have a problem of demarcation already. It was agreed that the old cemetery would be acknowledged as an official cemetery, would be done up and maintained.

I raise this matter because I was at Borroloola just before Christmas and the state of the cemetery was really pretty rough. It would only take an unfortunate incident such as some people tearing through in trucks or heavy equipment to obliterate it forever. That site has great historic importance and I believe the minister should act quickly to ensure that it is handed over to local government, that it is maintained and that it is placed on the cemetery register so that the people who are working on the Territory's Dictionary of Biography have access to its records to help in the recording of Territory history.

I have also been advised - and I raise this because it is a similar problem rather than something connected with my electorate - that there is concern in relation to another cemetery at the Daly River Copper Mines. It was set aside in 1978 for the purpose of historic preservation. It contains graves dating back to 1884. Again, the concern is that the cemetery could fall into complete disrepair and disappear and that no one will ever be able to find out what happened to it and why.

I would ask the minister to take up these problems with the Borroloola Community Government Council and anybody at Daly River who would like to look after the cemetery there. From a historical perspective, it is something that ought to be taken care of pretty quickly.

On a closing note, I would like to comment for a moment about the decline in the Territory's economy as it affects Tennant Creek. Much is said about the state of the Territory's economy and the people best able to comment are those who are trying to make a buck.

Mr Dale: If you sell all your dentists' chairs down there, you will all be broke.

Mr TUXWORTH: There he goes, Mr Deputy Speaker, trying to solve another problem.

In Tennant Creek, we are a little luckier than people in other centres in that we have been buffered by a few new mines. That is our good fortune. The general standard of the economy in other towns of the Territory is pretty serious and I would advise the government not to treat it too lightly because it is hard to get the economy out of a downward spiral once it has begun.

My final point tonight again relates to the Minister for Health and Community Services. I wrote to the minister before Christmas concerning the placement of staff in welfare services in Tennant Creek. I did that because of the complaints I was hearing from people who could not get to see a welfare officer about their problems simply because there were not enough officers to

handle the workload. The minister made a statement in which he undertook to ensure that recruitment would occur and that people would be in place early in the new year. I raise this matter with the minister again because, whatever recruitment took place, it did not take place for Tennant Creek where there is a dearth of people available to assist those in the community who need counselling, guidance or assistance with welfare problems in their home.

It is pretty easy in the good times to imagine that there are only a few people in the community who need a bit of help. I can tell the minister that there are a fair few around now who are looking for a bit of guidance from the welfare section of his department and that there are insufficient staff available to handle the problem. We get into a catch 22 situation where the problem becomes worse because people do not receive the counselling they need and go from crisis to crisis. Their situation deteriorates and the staff who are left are worked so hard that they throw their hands up and walk out. I raise this matter with the minister again tonight because I believe that he will have to intervene in some way to ensure that the remote areas have the staff they need to handle the problems that exist there.

I can tell the minister from personal experience that he should not believe for a minute that people in head office give a tinker's cuss about staff numbers in the remote areas. The only person in the whole system who will ever ensure that remote areas are staffed at reasonable levels is the minister. I say to him that it is time to intervene and ensure that the remote areas are adequately staffed. I refer to places like Katherine, which certainly has been speaking for itself in recent days, and Tennant Creek. It is time to appoint extra staff before existing staff become exhausted and leave, forcing the minister to look for 5 people instead of 3 whilst people's situations become even worse in the absence of services.

Like many members, I have seen large numbers of distressed people come through the doors of my electorate office over the years. Never, however, have I seen as many people as are coming in now. These people need or are using social services and they need help with their personal situations so that they can get back on their feet and make a contribution to the community. In fairness to these people, whilst 1 or 2 are playing the system, most are really embarrassed and feel that they are at the bottom of the pile because they need help. They feel terrible about having to ask for it. They need it, they are not getting it and something needs to be done.

Mr LANHUPUY (Arnhem): Mr Deputy Speaker, I was glad to hear the member for Barkly mention the operations of Imparja. I am a member of the Imparja board of directors, representing the northern part of the Northern Territory. I was very pleased to attend the official opening of Imparja and I extend my congratulations to the chairman of Imparja, Freda Glynn, for the tremendous job she has done in establishing the service amidst much controversy. The board of directors also faced the challenge of ensuring that programs acceptable to people in Aboriginal communities would also suit other viewers within the footprint area.

I have taken on board some of the comments relayed to me by members of the Australian Bicentennial Authority in respect of the operations of Imparja. One must take into account the fact that the organisation is in its infancy and that, like every other organisation, we sometimes make mistakes. At the next meeting of the Imparja board, I certainly shall be conveying the consensus among people in my electorate, from Groote Eylandt and Nhulunbuy in particular, about the hours of programming offered to them within the track which Imparja so successfully obtained.

To return to the subject of the official opening, it was very pleasing to see the Minister for Industries and Development in attendance representing the Northern Territory government. I had thought that the Northern Territory government might not send a representative but it was good to have someone of his standing there.

I congratulate the people who negotiated the programming. They had to combat some of the worst type of criticism, warranted or otherwise, in their efforts to ensure that Imparja commenced operations. It is now broadcasting and doing it very well too. In fact, I have received very favourable comment, particularly in the member for Nhulunbuy's electorate, about the way Imparja is operating. I hope that continues.

Mr Deputy Speaker, the other matter which I would like to raise is the official opening of the museum at Yirrkala. The member for Ludmilla and the Minister for Labour, Administrative Services and Local Government were present when a former Prime Minister, Gough Whitlam, opened the facility which was completed with funds from the Australian Bicentennial Authority. It was an incredible opening. We saw the former Prime Minister of Australia sitting down and talking about the period during World War II when he was based at Milingimbi and Yirrkala. I believe that the opening was a very emotional time for him. The Chief Minister was present and I am sure that those who attended the opening of the museum certainly appreciated the time and the effort which people in north-east Arnhem Land have put into it. I would like to record my congratulations and thanks for the work which people at Yirrkala, especially Roy Marika and Daymbalipu Munungurr, put into the establishment of that facility. I certainly look forward to the day when the Northern Territory government negotiates with the Macassan people about locating a Macassan prau on the museum premises.

The last issue which I would like to raise in this adjournment debate concerns the Macassan prau. There is no need for me to go over the history of the prau's voyage and how it began and ended, but I would like to say that it was pleasing to see it arrive in Nhulunbuy after those troubled waters had been crossed. At least 2500 people gathered, regardless of colour, to welcome the captain and crew of the prau. I must congratulate the people of Nhulunbuy, Elcho Island and Milingimbi. Judging by the stories I have heard, the receptions in all of those places were very emotional. As you may be aware, Mr Deputy Speaker, some people in those places are grandchildren of Macassans who travelled to north-eastern Arnhem Land in the early 1890s. It was an emotional occasion for some of those people. They sat down and exchanged stories and it was pleasing to note that some of the grandchildren of the Macassans had some idea of how their grandparents sailed to Arnhem Land a long time ago to make friends and exchange knowledge.

People in my electorate certainly appreciated the time they spent with the crew of the Macassan prau and I only hope that those voyages do not end with this one which was only made because of the 200th birthday of Australia. I hope that the friendship will extend further and that my people and the Macassan people will continue to renew old acquaintances. It is in the best interests of people in the Northern Territory and people in South-east Asia to maintain links in trade and also keep the common bonds of our shared past.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I would like to second the remarks of the member of Koolpinyah regarding the media's tasteless reporting of some incidents. The issue was brought home to me as recently as last Sunday when the Sunday Territorian carried a front-page photograph showing 2 police officers laughing with a suspect whose face was blocked out, as it

has to be. It has been alleged that this person murdered the young lass whose photograph was on the front page of the NT News early last week. In my view, the photograph was tasteless. I am not saying that the police should not laugh. Situations will arise when people will laugh, even in the most serious circumstances. However, the use of the photograph indicated to me that no thought had been given to the parents and family of the dead girl. Such lack of consideration defies description. What is the media trying to do to people's feelings? The media has a big influence on people and I was disgusted with its performance in this instance. It is a pity no representatives of the media are here to hear what I have to say. I dare say we could write to the NT News and express our disgust at its use of that picture.

I welcomed the Speaker's ruling this morning which, as I understand it, allows members to ask questions in adjournment debates and allows ministers, if they feel inclined, to reply to them. I will take the opportunity to ask a number of questions briefly, and comment upon them, trusting that the relevant ministers may pick them up and reply to them.

My first question is addressed to the Chief Minister. In view of the fact that 1 prosecutor in Alice Springs has resigned and another is suffering from ill health, will the Chief Minister investigate the workload of police prosecutors in Alice Springs, not only from the point of view of the number of cases which they have to deal with, but also in relation to the length of time which each case takes? I would add that I have been told recently that a prosecutor from Darwin was amazed to find that cases in Alice Springs, which were similar to cases which were going through in a matter of minutes in Darwin, were taking 4 or 5 hours to handle.

Mrs Padgham-Purich: That is why they have introduced a prosecutors' course.

Mr COLLINS: I can tell you that the prosecutor, Sergeant Ian McKinley, who has decided to resign, did not need any prosecutor's course. I am very saddened by his resignation. Basically, the problem in Alice Springs is that every trivial case is challenged, particularly by legal aid lawyers and that creates a tremendous workload for the prosecutors. It was not Ian McKinlay who told me that. I can assure honourable members that he is not the bleating type. He was an excellent officer of the police force and I am saddened by his departure. I presume the workload was the key factor in that. Another former police officer who has just resigned said to me only the other day: 'Now that I am out of the force, I would ask you to raise the matter of the prosecution section in Alice Springs. It has been overworked for a very long time. Please try to get something done. It is just a pity that it was not done before Ian McKinlay decided he had had enough'.

I also have a question on this issue for the Attorney-General. It relates to the other aspect of the matter on which I was ruled out of order the other day. I would phrase it in this fashion: will the Attorney-General examine the matter of a case being dismissed by the Alice Springs court because the prosecutor was not there at the appointed time, with a view to reinstating that case?

Mr Deputy Speaker, I am staggered by the thought that a case could be dismissed simply because the prosecutor was not there. The prosecutor was not there because Ian McKinlay was dragged up to Darwin for a course that he should have been running. The other prosecutor had heart problems and was in intensive care in the Alice Springs Hospital. I have been advised that cases

are often dismissed simply because a prosecutor is not able to be there. If I murdered somebody, I think I would be able to spare a couple of bob to stop the prosecutors from fronting up. I am staggered that a case can be dropped like that, and I see that the member for Nhulunbuy feels the same way about it.

My third question is directed to the acting Minister for Education, and I have advised his staff of the problem. It relates to the cut in funding for the film library service. Films are provided by the library in Darwin to schools around the Territory and they become an integral part of their courses. However, apparently funding has been withdrawn so that the schools will have to pay for the transportation of the films. I would ask the minister to look into that particular problem and try to bring some equity back into the system so that all Territory schools can have the use of these films which play an important part in the curriculum.

My fourth question is to the Chief Minister. I ask him to investigate the matter of conveyancing. In the Territory, we have a very expensive system which the lawyers have all to themselves. There are systems throughout the states whereby conveyancing is done far more cheaply and very effectively. If it were not effective, we would hear innumerable complaints about it. I believe it is time that the Territory government took this bull by the horns and got something set up so that we could have a wider range of choice. I am not looking for price control; I just want freedom in the marketplace. I would ask him to investigate conveyancing, together with the real estate system and property sales generally.

I am told that there are conveyancing kits in New South Wales. Forms for buyer and seller are available and people can sit down together, fill out those forms and effect their contract for very little cost indeed. At present, many people are leaving the Territory. Hopefully other people will come in and buy their houses but it is certain that, when they are sold, both buyer and seller will be ripped off. People are leaving the Territory with a sour taste in their mouths. I know of one instance, very close to where I come from in Alice Springs, where people have sold their home for about $80 000 only to cop land agent's and conveyancing fees of about $4100. That is a pretty big slice, particularly in this instance when the house was put on the market in the morning and was sold by the afternoon. Nobody can justifiably earn that sort of money in that time. The people concerned are leaving the Territory with a sour taste in their mouths because of the system we have. The government would win many brownie points if it opened those areas up to competition and let the market decide what the fees ought to be.

My next question is for the Minister for Industries and Development. I went to the recent meeting of the Australian Conservation Foundation's new Alice Springs branch. One Philip Toyne, the president of that organisation, spoke at the opening of the branch. He made much of the degradation of pastoral properties in the Territory. My question is: what is the government doing in relation to land degradation, particularly in terms of improving pastures and preventing erosion at the same time? I raised this matter last week in the debate on the economy of the Territory.

My final question is to the Opposition Leader. I was interested in his remarks on crocodile skins. What is he doing to have the federal government lift its ban on processing crocodile skins? It appeals to me as an industry which might well be slotted into the Trade Development Zone. Apparently, we cannot do anything until the federal government passes legislation. I believe that the Leader of the Opposition is ideally situated to push this matter and I would like to know what he is doing.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I have a couple of parochial matters I would like to draw to the attention of the Assembly this afternoon. One relates to recently-passed legislation, the consequences of which I did not fully appreciate at the time that it was passed. It concerns the inability of persons who have lost their licence, particularly if they are convicted of DUI, to obtain a permit to drive during working hours. I had grave concerns about that legislation at the time because, as I am sure most members would be aware, at another time I was employed as a driver. I did not think it was reasonable for a person to be doubly penalised for behaviour which, in other circumstances, would merely be penalised by a fine. The effect of the legislation in its current form is that people employed as drivers will lose their jobs and that is a savage penalty.

I have been made aware that a number of firms spent considerable sums on training people to drive, particularly unskilled people and Aboriginal people. It is a big component of their budgets. The amount of money spent depends on the size of the firm and the number of people employed. What has happened, as a consequence of this legislation, is that these firms are finding it very difficult to continue to train people. At some stage, they will be obliged by economic circumstances to cease training Aboriginal people to pursue these tasks. Such companies are set up for the specific purpose of undertaking works and training Aboriginal people to participate in our economic community. Either they will go to the wall or they will refuse to employ the very people whom they were established to employ. That is a consequence of that legislation in my electorate.

I would suggest that the member for Victoria River question a couple of the firms in his electorate. Unfortunately, I have not spoken to the member for Arafura. I am sure all members would be aware that he has a number of firms in his electorate which are designed specifically to train people to pursue skilled and semi-skilled activities. I am quite sure that some would be experiencing what at least 2 firms in my electorate are experiencing.

Mr Harris: What do you suggest that the government do?

Mr LEO: I would suggest that there is the possibility of the employer taking responsibility for the holding of that licence. The person who employs a person who has lost his licence would take responsibility for that person's behaviour between the hours of 8 am and 5 pm or whatever the working hours are. If the conditions of the licence are breached, the employer would be held responsible. I would ask government members to consider that proposition because this matter is certainly affecting people who are trying their best to provide meaningful employment for Aboriginal people in my electorate and, I would suggest, in the electorates of a number of other honourable members. If, on mature consideration of that proposition or another option, the government believes that there should be room within the law to accommodate those circumstances, I would suggest that it pursue it.

Firms which have been set up with the specific task of training people to participate in the work force are being jeopardised. It would be a crying shame if they could not fulfil their charter of training people to participate in the work force. It would be a crying shame and would have a far more dramatic effect than anybody in this House would have appreciated when the legislation was passed. I ask government members to take the issue on board and to discuss it. I would be more than pleased to support legislation which accommodated the very real difficulties faced by companies which not only try very hard to break even, earn a living and show a profit but also to provide people with meaningful employment.

Mr Deputy Speaker, I would also like to wholeheartedly endorse the comments of the member for Arnhem in relation to recent activities in Nhulunbuy, including the visit of the Macassan prau, the opening of the Aboriginal Art Museum at Yirrkala and the visit by Gough Whitlam. I would urge honourable members to visit Aboriginal communities. I would also like to commend to those members of government who have influence on the education of the broader community and on cultural activities within the broader community, the substantial attempts being made by Aboriginal people to come to grips with the dominant economic community within the Northern Territory.

With varying degrees of success, Australia seems to be able to accommodate migrants from all over the world. Our society is flexible enough to accept those persons, with their various cultural and social peculiarities. That we are not dominated by petty bigotry is a sign of a very mature community. Unfortunately, I do not believe that that same understanding and flexibility of attitude is extended to the Aboriginal people. Like it or not, Aboriginal people will not die and go away. They will remain a very major part of the Northern Territory community and I believe it behoves this Legislative Assembly to actively promote the social acceptance of Aboriginal people within the Northern Territory. I believe that many find it very difficult to accept Aboriginal people as people. I do not relate to phrases like 'racial prejudice'. What happens is that people become extremely ethnocentric; that is, they say that, unless you behave like them, talk like them, live in a house like them and are like them, you are not part of their community.

Mr Manzie interjecting.

Mr LEO: I certainly will respond to that muttered interjection by the Attorney-General. In Nhulunbuy, we have an excellent record of race and cultural relationships. I will accept the criticism that I am speaking from ignorance but I have travelled within the Northern Territory and, unfortunately, I do not believe that the same degree of interrelationship between the cultures extends throughout the Northern Territory. That is a fact of life. If people don't like it, I suggest that they do something about it.

Nhulunbuy has worked very hard on its interracial and inter-cultural relationships. We have spent a great deal of time on them. Aboriginal people and European people, no matter who they may be, spend a great deal of time working on those relationships, and the attendance of persons at the docking of the prau was a fine example of that. The people who attended were all shades of black, white and brindle and their presence made the docking of the prau a delightful event. Nobody who saw it could doubt that. Again, when the prau departed, people went to see it off with the same degree of enthusiasm. The opening of the Aboriginal Arts Museum was another delightful experience but, unfortunately, I do not see the same degree of enthusiasm throughout the Northern Territory for events involving Aboriginal people.

Mr Manzie: It is about time you opened your eyes and started having a look, isn't it?

Mr LEO: It is about time I opened my eyes and started having a look, says the Attorney-General. Unfortunately, Mr Deputy Speaker, the Attorney-General comes from an area which I call wonderland. It is divorced from the realities of the Northern Territory, divorced from the realities of the cultural imperative and divorced from the realities of the clash of cultures. I am quite sure the member for Victoria River, the Minister for Labour, Administrative Services and Local Government, would agree with me that the

people living in wonderland have no idea what it is about. That, however, does not remove the onus on this Legislative Assembly to pursue cultural and racial interaction. Indeed, it will be to our peril if we do not. As I said when I started speaking on this matter, Aboriginal people are not going to go away. They are not going to simply lie down and die. They will be here for the rest of the Northern Territory's history. Unless the Northern Territory can come to grips with those simple realities and with the demands, desires and pursuits of Aboriginal people, the Northern Territory has an extremely bleak future.

I moved a motion that this Assembly should form a committee to examine those matters and the way they relate to the law. That motion was defeated unceremoniously in this House, and that is fine. It has not, however, removed the imperative that must be pursued by this Assembly. Our future will depend on persons of all cultural backgrounds being able to live harmoniously within the one single community, our community of the Northern Territory. The Northern Territory government and, indeed, this Legislative Assembly has a very active role to play in pursuing those harmonious relationships.

Mr REED (Katherine): Mr Speaker, I want to take the opportunity to respond quickly to some comments made by the member for Sadadeen in the adjournment tonight. Whilst I have every sympathy for relatives and friends of victims of crimes of violence and other tragedies and whilst I fully support the comments of the member for Sadadeen and the member for Koolpinyah in relation to the over-zealous reporting of crimes of violence and tragic accidents, I would like to clarify a couple of points from my point of view and also to clarify my interpretation of the member for Sadadeen's comments.

Initially, I interpreted his comments as criticism of the members of the Northern Territory Police Force who featured in the photograph on the front page of the Sunday Territorian. My concern about his comments is that they might be misinterpreted as reflecting adversely on the Northern Territory Police Force.

That was my initial interpretation. Later comments by the honourable member indicated that that was not his intention. Nonetheless, he did not specifically clarify that in his references to the photograph. To place the incident in context, we must bear in mind that, unlike most other members of the community, police are continually confronted with tragic circumstances. Naturally, to maintain a level-headed approach to life and their duties, they must develop an outlook which accepts some degree of levity in the terrible circumstances that sometimes surround them. We must bear in mind that the photograph was taken far from the scene of the crime and that we do not know, and never will know, what the circumstances were at the moment when the photograph was taken. We do not know what those officers might have been smiling at or what was being said. The honourable member may not have been directing his comments to the police as much as to the press. I certainly commend our police force. It is recognised as one of the best in Australia. It is corruption free. I would not like to think that the comments of the member for Sadadeen might be misinterpreted by the people of the Northern Territory.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

MATTER OF PRIVILEGE

Mr SPEAKER: Honourable members, yesterday the Chief Minister raised as a matter of privilege a statement made by the member for Barkly on the 7.30 Report on Thursday 25 February 1988, claiming that the statement constituted a contempt of the Assembly. The Chief Minister requested that I refer the matter to the Privileges Committee. I have viewed a videotape of the 7.30 Report in question and have studied the transcript of the relevant segment of the report tabled by the Chief Minister yesterday. I refer the complaint to the Privileges Committee and will advise the committee accordingly.

Mr TUXWORTH (Barkly)(by leave): Mr Speaker, I understand your decision and I must indicate to the House that I regard the matter as most important. It is important for me as the member for Barkly and it is important for the Assembly, and I do not need to expand on that other than to remind members that the confusion and distress that surrounded the Barkly by-election last year brought this House into great disrepute in many ways. In this particular circumstance, there are some underlying and important legal issues that really ought to be addressed. It is probably appropriate that those issues go before the Privileges Committee because they relate to matters such as common law and natural justice.

Mr Speaker, I would like you to give your consideration to my having legal representation before the Privileges Committee because, as far as I can recall, this sort of action is unprecedented in the Northern Territory. It is a most important matter and I would like to be legally represented before the committee. Mr Speaker, I seek your determination on that. I would also like you to give consideration to other legal rights and entitlements that I may or may not have before the committee in relation to the fact that I might or might not have to appear before a court and therefore need to know what my standing is.

Mr Speaker, I would just say to honourable members that legal issues will certainly be raised. If they can be addressed and considered reasonably by all parties concerned, I believe that the process will be most productive. Finally, Mr Speaker, in the event that the committee does not find in my favour, I will be upholding the integrity of the House and making an appropriate statement.

MOTION
Privileges Committee

Mr COULTER (Treasurer)(by leave): Mr Speaker, I move that, for the purpose of the inquiry of the Privileges Committee into statements made by the member for Barkly, Mr Tuxworth, on the ABC 7.30 Report on 25 February 1988, the committee have power to send for persons, papers and records and to move from place to place.

Motion agreed to.

MOTION
School Council Regulations

Mr EDE (Stuart): Mr Speaker, I move that:

in view of the fact that -

(a) the Assembly will probably not consider the proposed disallowance of the Education (School Councils) Regulations until 17 May 1988;

(b) a number of school councils have expressed concern over the regulations; and

(c) considerable confusion exists over the interpretation of the regulations,

this Assembly requests the government to amend the regulations as soon as possible to provide that -

(1) teachers in a school comprise no more than one-third of the membership of that school's council;

(2) two-thirds of school council membership comes from parents of students at the school;

(3) schools may opt to coopt their local member of parliament and local government representative without ministerial veto; and

(4) head teachers are always members of school councils.

Mr Speaker, we have many problems with these regulations. The situation is that this House will not debate a motion to disallow the regulations until somewhere in the vicinity of 17 May. We know that the constitutions of school councils require them to hold their annual general meetings by 15 March. This means that school councils must fly blind at their AGMs. They have to guess in the dark, with none of the issues resolved - issues which this House has a duty to resolve.

I know that the Minister for Education, as distinct from the acting minister, has made statements in the press regarding the timing of school council AGMs. First he said that they would not be held until the end of March. There is a rumour that he has made another edict and stated that school council AGMs do not have to be held until the end of April. The ability of the minister to make such edicts is extremely doubtful. Does the minister, by means of a letter, press release or a statement on talkback radio, have the right to change the date, set down in school council constitutions, before which AGMs must take place?

Mr Speaker, there is no doubt that the power of regulations is superior to that of the constitutions of school councils. However, the deadline for AGMs has not been changed by regulation. Regulations have not changed it from 15 March to the end of March or, if the rumours are true, to the end of April. If that had been done by regulation, it might have had an effect. It was, however, done by ministerial edict. We cannot see where the minister has the power to make such edicts. Even supposing that he has the power, and that the deadline can be deferred till the end of April, school councils will still have to hold their AGMs without knowledge of any action this House may take in relation to the disallowance motion. If the minister has the power to alter the deadline from 15 March to the end of March and then until the end of April, he probably has the power to defer it until the end of May. That would lead to the ridiculous situation where school councils, almost halfway through the financial year, would still be waiting to hold their AGMs pending this

House making its decision. Mr Speaker, that is not good for the school councils, it is not good for schools and it is not good for students.

The motion refers to the fact that a number of school councils have expressed concern over the regulations and that considerable confusion exists in relation to the interpretation of the regulations. From information that is available to us, it is patently clear that that is so. A meeting was held at Nakara involving principals and school council chairmen from Nakara, Tiwi, Malak, Leanyer, Jingili and Nightcliff. At that meeting, the departmental representatives were told to convey a message to the Minister for Education. That message stated that the chairpersons 'deplore the fact that change has been made to the Education (School Councils) Regulations without consultation with school councils, that they deplore the haste with which the changes have been made, and that they deplore the department's ineptitude in providing advice to councils on these changes'. The chairpersons then called for an additional meeting. Rural schools made similar representations to the minister and other individual schools also made representations of that nature.

Mr Speaker, I have here a few replies to a questionnaire which I sent out recently asking for some advice. I will read out some examples of responses. One question was: 'Do you believe the new regulation will inhibit or enhance the role of your school council?'. Here are some answers: 'Yes', 'Neither', 'It would change the role, making it more political, weaker, giving some parents less opportunity to input, placing more emphasis on wider employees'. Leanyer School Council made a number of points and I will pick up the major ones. It stated that the major proposals in the minister's letter blatantly contravened the statement that the government's policy is to extend the control school councils have over their own affairs.

A major question in the survey was: 'Have you encountered problems in adapting to and complying with the new regulations?' Some answers were: 'Yes' and 'No, apart from confusing statements'. Mr Speaker, we have heard some confusing statements here from the minister. Another answer says: 'The new regulations have been poorly written and very hastily introduced and implemented. They contain omissions - for example, a mechanism to deal with the problem of elections - and statements which the minister and department are now trying to qualify - for example, what constitutes an employee'. That is exactly the point that I made earlier when I demonstrated that the secretary's description of an employee does not match the legal definition of an employee. Another answer says: 'Yes. As of 19 February 1988, it is still a little unclear. I do not see any major problems that cannot be sorted out in the next 14 days'. Since 19 February, we have seen the recognition of the problems regarding the legality of the secretary's interpretations. I presume that the situation is far less clear now. Another council conducted its AGM under the old regulations. We are yet to have an answer in relation to its legal position. Was its AGM unlawful because it was held on 1 February, the date to which the regulations were backdated?

The survey asked for some general views and here are some of those: 'A massive load of old cobblers', 'seems to be undemocratic, discrimination against one group of people who are employed by a section of a department of the Northern Territory. School councils have all the responsibility and no authority'. That is certainly true; that has certainly been demonstrated. Another response says: 'Politically only, seems okay. Before, if the minister or the department had trouble with a couple of schools, they should have dealt with those schools and left the rest of us alone'.

Mr Perron: Are they all signed?

Mr EDE: Mr Speaker, these are not signed. The next response in terms of general views on the new regulations says: 'They are defensive, they are about power, they are unnecessary'. That council believed that teachers will now want to be on councils, seeing that their membership has been restricted. 'Too much haste in the implementation', another school council said. 'It is doubtful that real representation of parents will bring better educational outcomes. Teachers and parents should be in partnership in education'.

Mr Speaker, these are replies to the questionnaire that I sent out. No doubt we will receive considerably more in the short amount of time that we have before 17 May. I will be using those, in the future, to demonstrate further the widespread nature of the resistance, the confusion and the concern with which school councils are responding to these regulations.

The point that we are making in this motion, which we hope will be passed by this House, is fourfold. We are asking that a regulation be drafted to supersede the old one, which will state firstly that 'Teachers in a school comprise no more than one-third of the membership of that school's council' and secondly that 'two-thirds of school council membership comes from parents at the school'.

Mr Speaker, we do not have a problem with the concept that the parents of students at the school should form a majority of that school council's membership. That has never been in doubt on this side of the House. In fact, just prior to becoming chairman of the parents' organisation at Sadadeen, when we were moving towards the formation of that school council, I fought for that principle. The issue is that, whether through incompetence or otherwise, this particular regulation does not achieve simply that. In question time this morning, I pointed out that a letter which was sent by the secretary of the department to chairmen of school councils and school principals, stated at its commencement:

> Following requests from some school councils for clarification of certain aspects of the recent amendments to the Education (School Councils) Regulations, I am taking the opportunity to advise all school councils that (1) the reference to a person being employed in any capacity in any government school is a reference to a person who is employed by the Department of Education in full-time and continuous employment in that capacity, and is not a reference to a person who is in part-time or casual employment in that capacity.

As I pointed out, the legal opinion that I presented today indicates that that is wrong. It is not true. The act that we are talking about does not restrict the definition of 'employee' to full-time and continuous employment, as is stated in the letter. It makes no distinction in that regard, with the result that the one-third provision will cover not only teachers of the particular school but teachers of any other government school, together with people who may be employed as gardeners, janitors, tuckshop assistants or whatever at schools on the other side of town. By virtue of such employment, people are unable to take up positions on school councils in the same manner as parents who may work in the same occupations but be employed by another contractor. Parents who are employed by the department in any capacity will have to be counted as part of the one-third quota which also includes teachers at the school and teachers in other government schools. They are not classified by virtue of their occupation; they are classified by virtue of their employer. The idea seems to be that these people have special influence

by virtue of their employment as tuckshop operators, janitors, gardeners, or as filing clerks or typists in the Department of Education. Such occupations apparently give these people some special means of putting their point of view across to officers in the higher echelons of the Department of Education. That would seem to indicate a belief in a responsiveness to employees in the lower echelons which certainly exceeds anything I have seen in the department to date.

The absurdity of the regulation and the current position is enhanced by the fact that the secretary wrote a letter saying that these employees were not involved and that they did not come within that classification. Obviously, the secretary did not believe that it was necessary that these particular groups had to remain within the one-third. If he had believed that, he would not have written a letter saying that they were not included. Clearly, the secretary did not believe that it was necessary.

I do not know what the minister thought, because we have not had a clear word from him on it. He gagged the debate. However, it is quite obvious that the department does not think that it is necessary. If the department does not think it is necessary, who does? The parents do not think that it is necessary and neither do the school councils. The people who are affected - the janitors, the gardeners, the part-time instructors, the casual employees - do not think it is necessary. If the department feels that people in those categories are parents in the same sense as other parents, why won't the minister accept that? If everyone else agrees that it is ridiculous to make that distinction and if the secretary of the department thinks that it is ridiculous to make that distinction, what is the problem?

Is it, in fact, that the honourable minister did not realise what was in the regulations and possibly relied upon the advice sent to the chairmen of the various school councils by the secretary of the department, and believed, when he made the regulations, that part-time or casual employees were not included in the definition? The distinction was raised because it was found that a legal interpretation stated that the secretary was wrong. As I said earlier, I believe that the department has legal advice of its own from the Department of Law which, I am told, supports the legal advice which I have received. There is no longer a point of contention regarding that issue. Either the minister has to say why it is necessary to place restrictions on parents who happen to be employed by schools as janitors ...

Mr Dale: There are no restrictions.

Mr EDE: There are restrictions, Mr Speaker. They are employees by virtue of the act and therefore they fall within the one-third restriction. The minister has to tell us why those janitors, gardeners, filing clerks and so on must have that restriction placed on them. Why don't they have equal standing in relation to the school councils as parents employed in other areas? If the minister wishes to argue that there is some reason for that, he can attempt to do so and he can explain to those people why somehow they are different. It would be completely ridiculous for him to maintain that argument, but he may wish to do so.

Mr Speaker, our third point relates to the ability of schools to coopt the local member of parliament and the local government representative without ministerial veto. The minister stated on radio that he was attempting to get local members of parliament and local government representatives onto school councils through cooption. The fact of the matter is, however, that the councils were already able to do that. Any school council had the ability to

coopt its local member of parliament or its member of the local government council. In fact, I know for a fact that the member for Katherine, while not actually coopted, has been requested to attend the last 12 meetings of the Katherine High School Council. The fact is that he has not attended once.

Mr Coulter: I am a coopted member.

Mr EDE: You are a coopted member, are you? Were you coopted after or before the Minister for Education ...?

Mr Coulter: I have been a coopted member since the inception ...

Mr EDE: Exactly, point proven. The councils had the ability to coopt the local member. The new regulation now provides for a ministerial veto in relation to that. Our motion requests that school councils be able to coopt their local government member or their local member of parliament without a ministerial veto. The minister has pooh-poohed the suggestion that he would use the veto. Why, then, does he want it in the regulations?

Mr Coulter: Sit down and I will tell you.

Mr EDE: Mr Speaker, this will be very interesting. We will hear why it is that the minister wishes to exercise a ministerial veto. If he attempts to utilise it, I tell the acting minister that I will personally defy that attempt. I will remain as a coopted member of the Yuendumu School Council no matter what he attempts. If he attempts to take action against me, I shall haul him up for a breach of privilege.

The last point in our motion is the requirement that head teachers always be members of school councils. What a ridiculous situation we have under the new regulations. I do not know how this one got through. It is patently ridiculous to say that, ex officio, it is essential that principals be on those school councils but, after 3 terms of office, they cannot be. Why was it so essential for those principals to be on those councils for 3 terms if, suddenly, they are unable to continue? There is a term when they cannot be on the council. How will a school council operate effectively and efficiently when the principal is not a member of it?

Mr Coulter: Sit down and listen and you will find out.

Mr EDE: If it is so necessary for them to be there for 3 terms, why isn't it necessary for the next year? All sorts of things may be happening in the school in respect of its development which require the principal's close and personal involvement with the school council. Given the way school councils operate, the principal is virtually the chief executive officer or, if you like, the managing director and is on the school council as the managing director reporting to the board on the operations of the school council.

What company, after operating with its managing director as a member of the board, would suddenly institute a rule to the effect that after 4 or 5 years the managing director could not be on the board - not because of any particular circumstance at that time, not because the company decided to restructure and considered it not to be appropriate, but simply as a general rule that, after 5 years, the managing director drop out for 1 year? It would be corporate lunacy. No company would operate on that basis and yet we are continually devolving more and more responsibility to school councils. We are providing them with more work and more power. What does the government then do? It says that, after 3 terms, the principal cannot be on the council.

For the good of school councils, I hope that honourable members opposite will support this motion because each of them knows and the acting minister knows that school councils are very concerned. The acting minister attended a school council meeting in early February at which its extreme concern was demonstrated.

Mr Coulter: The day the regulations came out.

Mr EDE: The day before they came out. The minister does not know where he is and when he is.

I would request honourable members opposite to think very carefully before they vote on this motion. I put them on notice that I will be circularising school councils with information concerning how members vote on this issue and I will be asking those school councils to request them ...

Mr PERRON: A point of order, Mr Deputy Speaker! Standing orders provide that members of parliament should not be placed under any threat or intimidation. The member for Stuart is clearly trying to intimidate members of this House.

Mr LEO: Mr Deputy Speaker, my hearing is as acute as that of the member for Fannie Bay. Quite clearly, the Deputy Leader of the Opposition made no threat at all. He made a simple promise that he would faithfully report the activities of the members opposite to their constituents. That is accepting a public responsibility. There is no threat implied in that. In fact, if he could rely on members opposite doing precisely that, he would not have to make that promise. Indeed, if they performed their public duties by informing their constituents of their activities in this House, he would not be obliged to do that. There is clearly no point of order, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! There is some possibility that the member's statement could be taken as intimidating. Perhaps the member would care to rephrase parts of his statement.

Mr EDE: Mr Deputy Speaker, I will rephrase what I said having regard to the sensibilities of honourable members opposite. I can understand their sensitivity on this issue.

Mr FINCH: A point of order, Mr Deputy Speaker! The honourable member's time has expired.

Mr LEO: Mr Deputy Speaker, I move that an extension of time be granted to the Deputy Leader of the Opposition.

Motion agreed to.

Mr EDE: Mr Deputy Speaker, I will only take a few more minutes of the Assembly's time. I would have completed my speech except for the points of order raised.

I believe that I have an obligation as the shadow minister to advise school councils of proceedings in this House. In pursuance of that obligation, I shall be advising school councils in relation to all members - those on this side of the House, the crossbenches and on the government side. I will advise the councils on how this debate went, what its results were and how the various members spoke and voted on the issues. I am quite certain that school councils will be very happy to hear the comments of

the Minister for Health and Community Services, who has been interjecting and no doubt will be contributing to this debate in his usual style. I am quite sure that he will be proud to stand up before his local school council and tell its members how he spoke and voted. I am equally sure that the next meeting of the council of Sanderson High School, which draws students from Jingili, Leanyer, Karama and so forth, will be very pleased to hear members for those electorates explain how and why they voted. I will certainly be advising those school councils about that.

I am sure, however, that members opposite will be proud to attend meetings of those councils because they will now realise that they have no option but to support the opposition's motion. It is the only clear, rational, and sensible way out of the imbroglio that now exists. It is the only way that school councils can clear the decks and get on with the business of managing schools. We offer it in the very best spirit of bipartisanship, attempting to make a positive contribution in the interests of what is right and good and proper, and as a clear demonstration that we will support regulations made in this regard. The motion will allow school councils to get on with the job. I am sure that many members opposite want that to happen. They realise that the school councils are in an impossible situation and they will realise that this is the way out.

Mr COULTER (Treasurer): Mr Deputy Speaker, I move that, pursuant to standing order 256, the papers quoted from by the member for Stuart be tabled.

Motion agreed to.

Mr DEPUTY SPEAKER: I ask the member for Stuart to table all papers from which he quoted during the debate.

Mr COULTER (Treasurer): Mr Deputy Speaker, after listening to the Deputy Leader of the Opposition, the opposition spokesman on education, I am reminded of how, on one occasion when Billy Hughes was coming out of the parliament, he was asked by somebody walking down the corridor whether the member for Cobar had been speaking for the last 20 minutes. He answered 'Yes'. He was then asked: 'What is he talking about?' Billy Hughes said: 'I do not know. He didn't say'. That is the type of performance we have just witnessed here.

In terms of the general issues before us, I am frankly dismayed that the opposition is now seeking to amend the school council regulations. Its action is nothing more than a ploy to confuse the issue further. The misinformation which has been bandied about in relation to the government's recent amendments to the school council regulations is nothing short of breathtaking. It is only surpassed by the questions that were asked here this morning by the Deputy Leader of the Opposition. The opposition, which is in a position to know better and which does know better, has deliberately misrepresented the intention and the effects of the regulation for its own political gain. It has contributed enormously to the confusion which now surrounds what should have been a simple and straightforward matter.

For the benefit of the slow learners on the opposition benches, the purpose of the amendment is to be sure that parents who are not employees of the department, and the wider community, have control of running their schools. One might have expected the opposition to wholeheartedly support this aim. We were told belatedly that it does. The government has no sinister motives. If the opposition does not support strong community involvement in the running of schools, it should come out from behind its smokescreen and say so.

Since self-government, members on this side of the House have been very consistent in advocating, and providing for, strong community involvement in the running of schools. This was the purpose of our original school council legislation and we have never wavered from this course. Now that we are providing the opportunity for school councils to take more responsibility, we have amended the regulations to ensure that the parents always do, in fact, constitute the majority of members on councils and, at the same time, to encourage representation from the wider community.

The government's amendments are not an attack on the Teachers Federation. While the old regulations were intended to ensure that parents formed a majority of members, nevertheless it was possible for teachers and other departmental employees to form a majority by virtue of the fact that many parent representatives were teachers and departmental employees at other schools. Of course, it is extremely desirable that we have teachers and other Department of Education employees represented on school councils, and the government has no wish to prevent this. What we have done is to frame the regulations in such a way that parents, other than departmental employees, will always be in the majority. In stipulating that departmental employees will now constitute not more than one-third of school council membership, excluding the principal, the government is not denying them their democratic rights. To state that we are denying them their rights is absurd and misleading. What we have done by this is to guarantee departmental employees of a substantial representation which has not been guaranteed before and that should be a clear indication of how much we value their contribution.

As teachers and other departmental employees do not constitute anywhere near one-third of the Northern Territory population, it could be argued that, proportionately, they are now over-represented. The effect of the amendments which the opposition is seeking would be to give teachers even greater representation. The opposition is bending over backwards to win favour with the Teachers Federation to the detriment of constituents.

What the opposition wants is that teachers in a school should constitute one-third of the membership of that school's council. However, the opposition does not stop there. It would place no limit on the proportion of additional teachers who could be on the council if they were parents of children at that school but taught at a different school. This would have the effect of reducing the representation and input of parents in the wider community who were not professional educators or departmental employees.

The opposition's proposed amendments make no special provisions for the inclusion of preschool representatives on primary school councils, as do the existing regulations. In fact, the regulations now allow the preschool association representative to be a teacher, if that is the association's wish, and he or she is not included in the one-third. Moreover, in seeking to have teachers at the school make up one-third of the membership of the school council and in restricting the other two-thirds to parents of students at the school, the opposition would remove student representatives from the councils of secondary schools and colleges. This government believes that secondary students should have that right but, obviously, the opposition does not.

The opposition's proposed amendments would also preclude councils from coopting members from the wider community who have special knowledge and valuable expertise, which other members of the council may lack. The existing regulations allow councils to coopt up to 3 such members, if they wish, either for a limited period or a full term of office, depending on the needs of the council.

It is interesting to see that the Deputy Leader of the Opposition, the person who put this motion, is absent from the Chamber, Mr Speaker. I think that is a clear indication of just how concerned he is about this issue.

Mr Smith: He is attending a rally of 150 people outside. That is what he is doing.

Mr SPEAKER: Order!

Mr COULTER: Mr Speaker, that is the option that the government has given councils to exercise if they wish. What possible quarrel can the opposition have with such a provision that it now seeks to disallow it?

The opposition wants school councils to be able to coopt their local member of the Legislative Assembly or nominee, and a local government representative, without ministerial veto. So does the government. The minister has stated this repeatedly. What more does the opposition need? We amended the regulations to encourage larger schools to coopt these people. Our requirement for ministerial approval was merely to ensure that larger schools had the capacity to coopt them. Such approval has nothing to do with the identity of those coopted; that is entirely a matter for the councils concerned and the representatives they approach.

The total absurdity of the opposition's stance is revealed by its proposal that head teachers should always be members of school councils. Hooray! Head teachers have been members of school councils, by virtue of their office, since February 1983. They still are and they always will be.

Mr Smith: Except if they are there for more than 6 years.

Mr COULTER: I should be allowing the Leader of the Opposition to get some of his absurd interjections on the record, but I am offering him the benefit of immunity from chastisement by the community for what he has set out to do, in an attempt to maintain the value of the vast sums of money that have been spent on him to enhance his charisma and his public standing, and I will continue to do that.

Mr Speaker, if the members of the opposition do not know what ex officio means, perhaps they should go back to school. The opposition spokesman on education has circulated to school councils a questionnaire, a copy of which I hope has now been tabled, and a covering letter which states all manner of fiction as fact. We witnessed that in this Assembly this morning in question time. I will make further reference to that in my statement later in the day. It is typical of the opposition's methods, and I think we are all starting to realise what they are today. An example of the strange thinking processes of members of the opposition is the insertion, in the covering letter, of the suggestion that the Minister for Education can impose a departmental officer, with unrestricted speaking power, upon any school council at any time. What nonsense! The officer's speaking power is exactly the same as that of other council members and, like the other members, the officer is subject to the direction of the chairman. The departmental officer cannot vote and the Secretary of the Department of Education has given a definite undertaking to negotiate with council chairmen about this position.

Mr Speaker, while the opposition has raised many spurious arguments about the regulations, I do not sympathise with the concern of some teachers who feel that they may have been disenfranchised from membership of the council of the school which their children attend. I can assure him, however, that they

need not be concerned. The way is entirely open for school communities, when holding their special general meetings, to adopt constitutions which specifically provide for those teachers to stand for election as parent representatives. For example, if the council has 19 members, this leaves 6 positions which could be filled by departmental employees. The school community may decide that, say, 4 of these positions could be filled by teachers at the school, the remaining 2 could be reserved for teachers from other schools and other departmental employees, and they would be voted for by parents as parent representatives. The onus is on the particular school to determine this breakdown. The regulations do not prevent it at all.

Council chairmen are well aware of what steps need to be taken to ensure that departmental employees can be elected onto a school council if they are not employed at that school but have children attending that school. I would like to urge everyone who is interested in being represented on his school council to attend the special general meeting to amend the constitution, and I urge members of the opposition to get behind the government and encourage parents and members of the wider community to become involved in the running of their schools.

Much has been said about janitors, canteen operators and gardeners. I have nothing against any of those people; they are hard-working people. I know a number of people who work on school councils in my electorate. They work very hard for the development of their schools and I pay full tribute to them and their untiring devotion to that work. However, if Department of Education employees are the only group of people we can attract to school councils, and the wider community cannot get involved, then I believe we have a problem.

Let us talk about the part-time employees referred to by the Deputy Leader of the Opposition. I see that he has returned now. He is obviously taking a greater interest in his motion, after having absented himself from the Assembly during the discussion.

The Secretary of the Department of Education made the intent in relation to part-time employees quite clear in a memorandum sent to schools. It said that a reference to a person 'employed in any capacity in any government school is a reference to a person who is employed by the Department of Education in full-time, continuous employment in that capacity and is not a reference to a person who is in part-time or casual employment in that capacity'. To further quote the secretary: 'As I indicated in the meeting with principals, before I nominate an officer of the Department of Education to assist a school council as an adviser, I shall consult with the chairman of the council and the principal of the school to ensure that a suitable officer is available for that position'. The department's intent is quite clear in those comments by the secretary.

The legal opinion that has been provided here today is an interesting one and departmental officers are currently reviewing the advice offered by the opposition spokesman on education. I imagine that we will hear more about that later. The intent, however, was quite clear.

Members interjecting.

Mr COULTER: Mr Speaker, I would answer the interjection by the member for Nhulunbuy but, unfortunately, the Hansard would not be able to convey the idiotic inflections of his voice and therefore would not do justice to his academic skills in this debate. I look forward to his contribution during the course of the day.

Mr Speaker, let me move to the matter of the position of principals on the school councils. The regulation provides that the head teacher of a school is, ex officio, a member of the school council; that is, he is a member of the council by virtue of his position as the head teacher of the school and continues to be a member of the council for as long as he continues to hold the office of head teacher. The above proposition is valid at law and, on the basis of that legal validity, Parliamentary Counsel advises that the words in the former regulations which exclude the head teacher from the limitation of holding more than 3 consecutive terms of office are simply unnecessary. That answers the opposition's case without too much difficulty.

We know that the department's intent was right and that, if it needs further clarification, that will occur. The secretary made the intent very clear to school councils on 16 February. The opposition's point about the position of head teachers is nonsense. I say to members opposite, in the words of a prominent Queensland politician, 'Don't you worry about that'. But they will worry about it because it provides them with an opportunity to act in league with their masters in the Northern Territory Teachers Federation. If one were looking for conspiracies and plots, one would wonder how the Leader of the Opposition got the job he has today. Perhaps he owes it to the Northern Territory Teachers Federation. He is in here today as its representative, spreading confusion and innuendo, ably assisted by the Deputy Leader of the Opposition, the shadow spokesman on education, who cannot even remain in the Assembly for the debate.

I have just demonstrated that 2 of the issues that the opposition has raised in this Assembly today are not even worthy of mention. They do not even rate as concerns. But the opposition creates confusion and spreads rumours.

I turn now to the questionnaire distributed by the Deputy Leader of the Opposition. No doubt he will inform us in his summing up of how many he sent, when he sent them and how many replies he has received. He has tabled some 4 or 5 replies and, if there are any further responses, I would like to see them. Incidentally, I would remind honourable members that the responses are not signed. They could have come from anywhere. Indeed, they could have been written by members of the opposition before they came into the Assembly this morning.

Mr EDE: A point of order, Mr Speaker! I ask that the honourable member be instructed to withdraw the highly offensive remark he has just made.

Mr SPEAKER: There is a point of order by way of implication. I would ask the minister to withdraw that remark.

Mr COULTER: Mr Speaker, I am well aware ...

Mr Ede: Withdraw unreservedly.

Mr COULTER: I withdraw unreservedly, Mr Speaker.

It is very hard to tell who is the Leader of the Opposition and who is the deputy, with all the shuffling around in the opposition ranks.

Mr Bell: You need glasses, do you? You can have mine.

Mr COULTER: He puts up his hand and leans back and says that he will become the ...

Mr SPEAKER: Order! The minister will resume his seat. The member for MacDonnell is ...

Mr Bell: Do you want to lend him yours?

Mr SPEAKER: Both the member for MacDonnell and the minister are showing extreme rudeness. The member for MacDonnell is well aware of standing orders and should take care not to breach them.

Mr COULTER: The Deputy Leader of the Opposition and opposition spokesman on education raised the question of whether or not the minister had the right to change the regulations ...

Mr Ede: Rubbish.

Mr COULTER: Get Hansard tomorrow and look at what you said. We have great difficulty knowing what you mean so we understand some of the problems that you might have in understanding what you are saying.

The Education Act makes it quite clear that the minister has the power to do all things that are necessary or convenient to be done or are connected with the performance of his function under the act. Once again, there is no argument that the opposition spokesman on education can put before this Assembly which justifies the opposition's position in relation to these regulations.

I will comment briefly on some of the paragraphs in the opposition's motion and the absurdities offered by the opposition spokesman on education. Paragraph (1) is a request that the regulations be amended to provide that teachers in a school comprise no more than one-third of the membership of that school's council. Mr Speaker, it is government policy that parents should constitute the majority of members of school councils, as parents represent a wide range of community interests, attitudes and expertise. It is as simple as that. Some parents are also employees of the Department of Education and include teachers of children at other schools.

School employees, together with teachers at schools, represent a unity of interest as professional educators. To the extent that that interest extends beyond teachers of the school and includes some parents on the school council, it impinges on the availability of broad community input from parents. The proportion of one-third should, therefore, not be limited to teachers at a school. It includes parents who are departmental employees, including teachers at other schools. The provision is in place. Those people are not being excluded. As I said earlier, they are catered for within the one-third limit.

Departmental employees represent approximately 3% to 5% of the population. Remember that we are speaking about the future of 35 000 students in the Northern Territory. About 22% of our population is at school today and it is the future of that group that we are discussing. We are speaking about the future of 35 000 students and trying to expand the membership of school councils to ensure that the broader wishes of the community are represented on them. Because departmental employees comprise 3% to 5% of the total population, they already have a greater than proportional representation on school councils. It is more significant than that of any other group of parents. Departmental employees have other opportunities to contribute to education processes through advisory bodies such as curriculum committees, faculty meetings, staff meetings and so on. It could be argued that one-third constitutes over-representation.

Paragraph (2) of the opposition's motion indicates that two-thirds of the school council's membership should comprise parents of students at the school. Whilst it is government policy that parents of students at a school should constitute the majority of school councillors, there are other interests in the school community which merit recognition. Such interests include, in the case of primary schools, a representative of the preschool association and, in the case of secondary schools, a representative of the students. Moreover, the council might wish to include special interests from the wider community having regard to certain specific or continuing requirements of the council. Hence the optional power to coopt up to 3 persons for limited or full-term membership of the council.

Paragraph (3) of the opposition's motion would provide for schools to coopt their local member of parliament and local government representative without ministerial veto. We are referring here to councils where that might create a problem by increasing council membership to more than 19 members. Having regard to the number and size of the schools in the electorate divisions, it is intended that the larger schools should have the opportunity to establish liaison with their MLA and local government representative or nominee. The requirement for ministerial approval is to ensure that schools have councils of a size sufficient to give them the opportunity to coopt such representatives or nominees. Ministerial approval of the exercise of the power of cooption is directed to school councils. As the minister has repeatedly said, ministerial approval does not operate as a veto.

Mr Speaker, I have already addressed the issue of head teachers, and I think that I have put to rest the nonsense which the opposition spokesman on education tried to put forward on that particular issue. As I said, the regulations provide that the principal of the school is an ex-officio member of the school council and is a member of the council by virtue of his position as head teacher of the school. He continues to be a member of the council for as long as he continues to hold the office of head teacher. I cannot put it any more simply than that.

Mr Speaker, I could continue in relation to the other issues that have been raised here, but no doubt the member for Port Darwin will address some of those issues. I would have thought that, as a result of the opposition spokesman on education being in the job for as long as he has, he would have been able to provide this House with much more accurate information and much more substance to his argument than he has done here today. Most of his arguments are based on rumour, innuendo and the confusion that he has been able to create. Mr Speaker, it is no excuse that the members of the opposition come in here to represent their master out there in the wider community; that is, the Northern Territory Teachers Federation. They do themselves no great honour by being seen to create confusion on this very delicate issue. It does them no credit at all.

I said this morning in question time, in answer to a question from the member for Jingili yesterday, that if the school councils decide not to abide by the regulations, there will be neither confusion nor problems with cheques and money matters, as the opposition has tried to drum up here. Provisions are already in place. In fact, some schools are already funded directly by the Department of Education, through the principal. Everything is in place. We do not need to be bothered with that. There are methods in place and they will be used if necessary.

I believe that, when the dust settles on this particular story, we will find that we are not dealing with a large number of school councils that will

not conform with the regulations. I believe that common sense will prevail. Although that is a rare commodity on the opposition benches, there are people in the wider community who are still prepared - thank goodness - to follow logical thinking. When the dust settles, the school councils will conform with the regulations as they are today. In fact, it appears at present that only a very small minority will not comply with the regulations.

However, as I said, it will not be a problem if they fail to adopt them. There are mechanisms and systems in place, within the Department of Education, which are already functioning today. Some schools within the Darwin area are funded directly through the principal at present and it will not be a problem for us if some councils decide not to conform to the new regulations. I think I made that quite clear in question time this morning.

The intention of the Secretary of the Department of Education has been known to the schools now since 16 February. Membership of the school councils will meet with the requirements of the new regulations. No doubt, the Deputy Leader of the Opposition will be running outside to his rumour machine for more information throughout the remainder of this debate. His credibility has been shot to ribbons this morning. During the debate on the Green Paper, I will refer to some of the rumours and innuendo that the Deputy Leader of the Opposition raised in question time today. We have some of the information that he quoted from today but I ask honourable members to consider it thoroughly in terms of its authenticity.

Mr Speaker, I have nothing further to add at this stage. I believe that I have answered all the questions raised in the motion. It is a shame that, on the first general business day of 1988, the first motion before this House is a nonsensical one. It does the opposition no credit at all in the wider community. It has failed the education system and it has even failed the Northern Territory Teachers Federation. I guess that will be reflected in its funding for the next election because the federation pays on results. The Leader of the Opposition needs to be very careful because he might not even get his former job back when he is thrown out after the next election. That is provided, of course, that the Deputy Leader of the Opposition does not do it for him before then.

Mr SMITH (Opposition Leader): Mr Speaker, I have found that debates on education tend to be what could be called 'sleeper' debates because they bubble away in the community and it takes a while for them to come to the attention of people who are not actively involved in them. The debate on 'Towards the 90s' was a classic example of that. That was bubbling along out in the community and had become an issue of concern to school councils long before the opposition realised that it was a major issue and started to pick it up.

One of the constant complaints the opposition receives in terms of education is: 'Why aren't you doing anything?' I think the reason is that the issues are sleepers - they take a while to warm up. They are talked about within school councils and it is only after those councils start talking to each other and sharing their concerns that the debate starts to heat up. The debate on school council regulations is not one that the opposition started but it is one that the opposition is responding to. It started in the school councils in the major urban centres. Those school councils picked it up and made it a live and lively issue.

People on school councils are not interested in politics. School councils have never been political and, hopefully, they never will be. However, they

do believe in fair play. In terms of these regulations, they believe that the government is not offering fair play. Let us forget the subsidiary reasons for the moment. There is one basic reason why people in the school councils say the government is not playing fair. These regulations stipulate that a person's chances of working on a school council may be reduced simply as a result of his employment. One can argue the technicalities of that but that is how people see it. If you happen to be a parent who works for the Education Department, your chances of being elected to a school council are less that if you happen to be a parent who is employed in some other capacity or who is unemployed.

People object to that on a philosophical basis, as they should, but they also object to it on a practical basis. On the current council of Millner Primary School, there are 4 or 5 parents who are employed by the Department of Education and not one of them is a teacher: 2 work in the tuckshop, 1 is a part-time instructor and 2 work in a clerical capacity in the Department of Education. Under the new regulations, the only way that they can sit on the Millner School Council is to compete against a teacher at the school for a position. They do not want to do that. Millner Primary School is very lucky in the quality of its teachers and the fact that they have been there for a long time, and they are respected for what they do. No parent in that school community wants to cut down the number of teachers on the school council. Under the new regulations, those 4 or 5 people cannot nominate for election to the next school council without displacing one of the teacher representatives. That is the practical consideration that that school faces. I am not arguing that that is a common problem although I know it is a problem in some schools. However, it illustrates one of the consequences of what the government has done.

The government has supported the devolution of a widening range of responsibilities to schools. I have some personal reservations in relation to some of those but it is true to say that, on the whole, the school councils have accepted the devolved powers enthusiastically. The government is now taking away from school communities the power to select whom they think can best represent them on their school councils.

In the case of Millner Primary School, for the last 2 or 3 years, a number of parents employed by the Department of Education have been members of the school council. That is because their expertise and interest in what is going on in the school is valued. That expertise and interest will be lost if these regulations remain. I have a very personal objection to the regulations because they will upset the operations of my school council. In my view, that school will have some trouble in finding people in the community who have the time, the interest and the expertise to replace those who are no longer eligible under the regulations that have been imposed.

Mr Speaker, on top of that, we have confusion. We have a situation where the Secretary of the Department of Education seems to think he is above and beyond the law. He seems to be supported in that belief by the acting minister and the minister. Repeatedly, the argument is put to us that the intention of the regulations is not to exclude part-time personnel of the Department of Education. If that is not the intent of the regulations, the regulations have to be changed. We have tabled a legal opinion in this House, which the government has not rejected and which the government has not attempted to challenge by comparing it with any legal opinion it has obtained. The legal opinion we have obtained states that there is no doubt that, under the regulations as they stand at present, all Department of Education employees - whether they be engaged part-time or full-time, whether their

tenure is permanent or casual, whether they be tuckshop workers, janitors or filing clerks in the Department of Education - are discriminated against. If they wish to become members of school councils, their task is made more difficult. People are confused about that situation.

I want to know why the Department of Education and the minister have not obtained a legal opinion on this matter. In my view, that is a shocking indictment of the operations of the Minister for Education and of the Secretary of the Department of Education. It is not good enough for the secretary of the department to say this to the chairmen of the school councils:

> Following requests from some school councils for clarification of certain aspects of the recent amendments to the school council regulations, I am taking the opportunity of advising all school councils that (1) the reference to a person being employed in any capacity in any government school is a reference to a person who is employed by the Department of Education in full-time and continuous employment in that capacity, and is not a reference to a person who is in part-time or casual employment in that capacity.

Mr Speaker, I put it to you that that is wrong. It is wrong in law. It is a wrong interpretation of the Education (School Councils) Regulations, and the government has been neglectful in not getting a Department of Law opinion that would confirm that it is wrong or, by some mischance, that it is right. There is enormous confusion in the community about that.

I do not particularly want to read into Hansard the opinion that we have received, but I think it is important that I read certain sections of it. They are selected because they bear directly on this question of who is eligible amongst Department of Education employees. Let me read from it.

> The Teaching Service Act does not contain any specific or separate provision for either casual, part-time or contract employees. It simply refers to officers and employees. Section 3 of the Teaching Service Act defines an 'employee' as meaning a person engaged under section 19(1) as a temporary employee, and includes a transferred employee. 'Officer' is defined as meaning a person appointed under section 14(1) as an officer and includes a transferred officer. Thus 'employee' means a temporary employee but does not differentiate as to whether such an employee is full-time, part-time or employed on a contract basis. Equally, 'officer' is a tenured employee and, again, may either be a full-time or part-time officer.

On the next page it says:

> As for public servants employed within the Department of Education, similar analysis holds true under the Public Service Act. Section 4 of the Public Service Act defines 'employee' as meaning a person, including a departmental head, employed in the public service or a person in respect of whom a statutory corporation is, in the act constituting it, declared to be a prescribed authority. There is no dichotomy in the Public Service Act between employees and officers. All public servants are employees. Thus, under the Public Service Act also, a reference to an employee, prima facie, means all employees in the public service or, in the case of these regulations, all employees of the Department of Education whether they are full-time, part-time, casual or whatever.

I want to stress that we are not arguing about an obscure point of law. It is not necessary to be a genius to work that out. Mr Speaker, all you would need do yourself is go back and read through the regulations, read through the Public Service Act and the Teaching Service Act and I would bet that you would come to the same opinion.

In the light of this opinion, we have the Secretary of the Department of Education, commonly referred to as the 'senior minister for education' but now seemingly elevated to a position next to God, ignoring the law of the land and saying that the intent of the regulation is only to cover full-time employees. That is not good enough for people on this side of the House. The Secretary of the Department of Education is responsible to the law. He is not responsible for interpreting the law or giving intent to the law. He is responsible for carrying out the letter of the law and, in a controversial matter such as this has become, it behoves him and his minister to obtain a legal opinion which clearly tells them what the situation is. But that is too sensible and too sane an approach for either the Secretary of the Department of Education or his minister. They prefer to send inane letters to school councils which do not accurately describe the legal situation. That is a problem and it is one of the reasons why the government has gotten itself into such a mess. If it cannot get a key regulation right, obviously people will be suspicious about the rest of the regulations.

This leads me to the issue of the right of school councils to coopt members of parliament with the approval of the minister. I ask members opposite why, if the minister does not want the right of approval in relation to the cooption of members of parliament, has he used a form of words which says 'with the approval of the minister'? It is all right for the minister to give a blanket approval for all members of the Assembly to go on school councils, but the need for that blanket approval would not exist if there were no right of ministerial veto in the regulations.

I will give an illustration of why this issue is so important. If the member for Sadadeen keeps hammering the minister about matters like the lockers for students at Sadadeen High, the minister may decide at some time in the future that the member is more trouble than he is worth as a member of the Sadadeen school council. Under the new regulation, the minister is able to decide not to allow him to continue as a member of the council.

Members opposite may understand better if I put the matter in another perspective. In the event of a Labor government and the member for Stuart being Minister for Education, would members opposite like him to have the power of veto over their right to belong to school councils? I feel sure the answer would be no. We feel exactly the same, and the problem needs to be fixed. Nobody wants that sort of control to exist over the operations of members of parliament. Even the members opposite, if they think about it carefully, would agree that that is an unwarranted power.

The acting minister read out some comments about this issue in his speech this morning. If the minister wants to encourage school councils to coopt their local member, that is a good idea. He can do that by putting an appropriate clause in the regulations but he certainly does not need to include the phrase 'with the approval of the minister'. I would appreciate it if a government speaker could tell me why that phrase needs to be included. I would also like to be told how the removal of that phrase diminishes in any way a school council's power to coopt its local member of parliament. It is beyond me to see how the power of school councils would be limited by the removal of the words 'with the approval of the minister'.

Mr Speaker, with this particular set of regulations, we have another issue which has galvanised school communities. The thing that really upsets me is the energy and the time consumed by school councils on this particular issue. Some school council chairmen have been to 3 meetings with department heads plus other meetings where department heads have not been present. Isn't it a shame that all that energy has had to be expended on as stupid a proposition as that which has been advanced by this government? Wouldn't it have been better if that energy could have been used by school council chairmen and school councils to further the aims of education in the Northern Territory?

We have had the ludicrous situation whereby school councils' annual general meetings have had to be postponed because they have not met the time scale for introducing the new regulations. You can imagine, Mr Speaker, the annoyance and the upset that that is causing. I am sure that the Chief Minister will find out something about that if he bothers to attend the Nightcliff High School Council's adjourned annual general meeting this Thursday night.

We are faced by a problem that the government has created for itself. It is not a problem that will go away and it is not a problem that the acting minister will solve by making threats. What will he do when schools cannot get the two-thirds majority that they need to change their school constitutions? What will he do when they write to him: 'Dear Sir, we have had our annual general meeting and, unfortunately, we could not get the two-thirds majority necessary to change our school council regulations'?

Mr Dale: Because the Teachers Federation told them not to.

Mr SMITH: Because the school community decided in its wisdom that it did not want the proposed changes. Essentially, I thought that that was what democracy was all about. It is not something imposed from on high. School communities, particularly when responsibilities have been devolved to them, can make those sorts of decisions for themselves. What irks school communities is that they are not being regarded as responsible people, that the government is showing that it has no confidence in their ability to pick the members of the school community who can best represent their interests on the school councils and that the government feels the necessity to impose artificial restrictions on that power. That is the bottom line, Mr Speaker. That is why the government is meeting so much resistance on this issue and that is why, in the terms of this motion, the government should agree to amend the regulations to remove those things that are causing so much unrest and unhappiness in the school communities.

Mr HARRIS (Port Darwin): Mr Speaker, it was very interesting listening to the Leader of the Opposition's comments. His comments about people being denied access because of where they work has to be taken into consideration. The situation that he has not addressed - and many red herrings are being drawn across the trail here - relates to teacher representation on the councils. I will come to that a little later on.

What amazes me about this whole debate today is that I cannot see, for the life of me, what the opposition has against lay parents being involved in the school councils.

Mr Ede: Nothing at all.

Mr HARRIS: What are they frightened of?

Mr Ede: You have not been listening, Tom.

Mr Bell: Come on, Tom.

Mr HARRIS: Listen to what I have to say. Are they concerned that there will be problems on the school councils because lay parents are involved?

Mr Ede: There is no such thing as a lay parent.

Mr HARRIS: Mr Speaker, the opposition knows that educationalists and teachers have a great deal of opportunity to become involved in education and that has to remain the situation. The government is not changing anything in relation to that. They still have the opportunity to be involved as council members and they also have the opportunity to comment on any issue at council meetings. There is no change in relation to that.

The government has been concerned about parents who are not teachers and who are not educationalists - 'lay parents', for want of a better term - who need to be more involved in the community's education system. We continually hear calls for non-educationalists to be involved and the government is trying to address that matter.

I would like to refer to some facts relating to the input into education of various groups including teachers, parents, parent groups such as COGSO and students. These facts indicate clearly that there is a need to have more lay parents involved in our education process.

On the Education Advisory Council, there is teacher representation, informal parent representation, COGSO representation and student representation. On the TAFE Advisory Council there is teacher representation, no informal parent representation, no COGSO representation and no student representation. On FEPPI, there is no teacher representation; there is informal parent representation and student representation but no COGSO representation. On the NT Board of Studies, we see teacher, informal parent and COGSO representation but no student representation.

There are a number of groups which have no informal parent involvement, no COGSO involvement and no student involvement. These include: the NT Board of Studies, the Transition to Year 10 Committee, the NT Board of Studies Accreditation Committee, the NT Board of Studies Primary Assessment Committee, and the NT Board of Studies Subject Area Committees covering Business Education, Career Education, Computer Education, English, Health and PE, Home Economics, Language other than English, Maths, Performing Arts, Science, Social and Cultural Education, Technical Studies, Visual Arts, Early Childhood and Gifted Children. Teachers are involved in all of those committees and groups, which is as it should be, but there is no involvement of informal parents, COGSO or students.

The NT Government Tertiary Scholarships Committee has involvement from teachers and COGSO, the parent group. It does not have any informal parent involvement and it does not have any student involvement. The Staff Development Advisory Committee has teacher involvement and COGSO involvement, but no informal parent or student involvement.

In terms of educational buildings, we have the Building Advisory Committees which have active involvement from teachers but no parent involvement. School Commission, Participation and Equity Programs have teacher involvement, COGSO involvement, student involvement and no informal

parent involvement. Basic Learning in Primary Schools has teacher involvement, no COGSO involvement and no informal parent or student involvement. The Special Education Program Committee has teacher involvement, parent informal involvement, COGSO involvement and no student involvement. The Country Area Programs Committee has teacher, COGSO and informal parent involvement but no student involvement.

Among the educational groups and committees I have listed, there are 28 occasions of teacher involvement. There is plenty of opportunity for teachers to have input to the system. There are 5 instances of informal parent representation, 8 instances of COGSO involvement and 3 instances of student involvement. I think that indicates very clearly that, as a government, we are looking to achieve involvement from more people who are not educationalists and teachers who already have many opportunities for active involvement through the existing system. There has been a call in the community for many years for us to increase the parent representation. I talk about the parent who is not an educationalist and who is not a teacher.

I accept the concerns that people have in relation to janitors and others employed by the department, tuckshop operations and so on, but if there is any confusion in relation to that, I am sure that the government will address it and clarify what the regulation relates to. It is quite clear that, in some cases, there was no intention that those people should be denied access to those particular councils. I think that the government will address that particular issue.

I want to refer back to the issue of parent participation as against teacher participation and as against participation by COGSO and other groups and students. We need to take account of all their concerns and all the areas that they have expertise in and ensure that they are able to have input to the education system. We need to do that and, by putting these regulations in place, the government has done that.

I will refer to some comments made by the member for Stuart. He spoke first, as if the matter had never been commented upon in this Assembly, about the Minister for Education deferring the date by which school councils could hold their annual general meetings. He spoke as if he had only just heard about that. I do not know where the member for Stuart was at the time but, in answer to a question asked in the Assembly on 25 February 1988, the Minister for Education said, in part:

> Mr Speaker, to respond more pertinently to the honourable member for Port Darwin, as a result - and this is a future strategy - as a result of the meetings that have been held recently throughout the Northern Territory, through the auspices of the Education Advisory Council, concern has been expressed to me as to what is the correct interpretation to be placed on various aspects of the regulations. Since the gazettal of the regulations, I have received advice of concerns from COGSO, secondary schools, chairpersons, individual councils and parents and the Northern Territory Teachers Federation. I have taken action in that I have extended the date by which annual general meetings of school councils are to be held from 15 March to 30 April. This extension will allow all school councils to amend their constitutions and hold their elections in accordance with these regulations.

I believe that that made it very clear that the member for Stuart was trying again to create the furphy that the Minister for Education had not, in

the correct format, explained what he was doing in relation to that particular issue.

The member for Stuart spoke about a questionnaire that he had sent out to a number of school councils. The problem with that was that his questions were indicative. For example: 'Do you believe that the new regulations will inhibit or enhance the role of your school council?' If he had framed his questions differently and asked whether there was a need for more parent involvement, more involvement by people who were not educationalists and teachers in the education system, the answers received would have made it very clear that the government was responding to community needs and wishes. The government is not trying, in any way, to take away from teachers their right to be involved. They are able to be involved ...

Mr Ede: To put down tuckshop employees, filing clerks, janitors and gardeners.

Mr HARRIS: The honourable member for Stuart is talking again about janitors and gardeners. That is a red herring.

Mr Ede: Rubbish!

Mr HARRIS: You are talking about teacher representation and, Mr Speaker, I believe that is what the opposition is really on about.

The opposition's motion begins by saying that that '(a) the Assembly will probably not consider the proposed disallowance of the Education (School Councils) Regulations until 17 May 1988'. That is correct. It then states that '(b) a number of school councils have expressed concern over the regulations'. There are councils that have expressed concern. The minister has acknowledged those concerns and he has done so in this House. The motion then says that '(c) considerable confusion exists over the interpretation of the regulations'. Having made those statements, the actions proposed by the motion completely fail to address the issues arising from them.

Paragraph (1) of the motion requests the government to amend the regulations so that 'teachers in a school comprise no more than one-third of membership of that school's council'.

Mr Ede: Is that all right?

Mr HARRIS: We acknowledge that. But we are saying that the one-third should encompass all teachers, including parents who are teachers at other schools.

Mr EDE: Plus the gardeners, the janitors and the tuckshop employees.

Mr HARRIS: If there is a need for clarification on that, the government will address it. I am talking about teacher representation.

Paragraph (2) of the motion asks the government to ensure that 'two-thirds of school council membership comes from parents of students of the school'. That should be the situation and, again, such parents should be parents who are not involved in aspects of education at that particular point in time, either as teachers or educationalists. I believe we need that other input into the system.

The member for Stuart and the Leader of the Opposition raised the issue of the power to veto. Again, on 25 February, during the course of his answer to a question, from which I quoted before, the Minister for Education commented:

> Mr Speaker, because it has been raised, I will clarify the reasons for the regulation change which allows for the cooption of MLAs and local government representatives onto school councils. I state again that that is not a mandatory requirement. It is up to the school councils themselves to decide whether or not they want the local government representatives and or the local MLA.
>
> When my approval will be required is if the school council takes its opportunity under the AGM election process and has a full number of elected representatives. If the council then wishes to coopt the local government representative and the local MLA, which would take it over membership provided for under the regulations for school councils, I will allow the councils to do that, and I do not think that that is an unfair course of action.

Mr Speaker, I believe that that is a reasonable explanation of why that power needs to be there. The Minister for Education is not trying to stop the involvement of MLAs and others involved.

Mr Smith: Yes! The power to coopt is written into the regulations. It doesn't need the minister's approval.

Mr HARRIS: If that is what you think, you are way off the mark because it is not what it is about.

I think the issue of the principals of schools has been explained very clearly by the Acting Minister for Education. Principals are involved on councils and will remain on their relevant councils until they cease to be the principals or head teachers of their particular schools.

Mr Speaker, the Leader of the Opposition spoke about emotions. I can say that education is an area that is steeped in emotion. We all know what is best for the system on every issue. I can relate as well as any other member of this Assembly to the depth of feeling in the community when we are talking about issues that will affect children. We had the secondary college issue and I can well and truly recall the emotion involved then, as was the case with the closure of certain schools. However, if we allow our emotions to become involved in debating these issues, we are going to lose track of what the debate is really about and what the government is trying to do.

The opposition has approached this matter in a very irresponsible manner. It has tried to generate feeling in the community. It has made inaccurate statements, and these will be referred to in the next debate, which have stirred the possum. Parents are now saying that they are not allowed to be involved on their school councils. What a load of nonsense!

Mr Ede: It is true.

Mr HARRIS: They can still be involved on school councils and to say otherwise is a load of nonsense. The opposition knows that and that really worries us. It has introduced red herrings and used emotional arguments. That is disappointing because, as I said, I believe that the opposition is losing sight of what this debate is all about.

We are trying to generate more parent involvement. We have teacher involvement. Educationalists are involved in the system, as is proper, and students are involved. We should be trying to make sure that everyone who is involved in the education process has a due say in it. The government is trying to make sure that parents have a say in what is going on and that they are not controlled by the Northern Territory Teachers Federation. Teachers, as a whole, are very good people, but they already have input into the education system. It is the Northern Territory Teachers Federation, through the opposition, which has raised this issue here today.

If there are concerns about certain aspects of the regulations, the government will look at those aspects. If change is required, so be it. The opposition is simply playing political games. That disappoints me because the issue is much too serious. We need to take every possible step to make sure that our education system remains one of the best in Australia.

Mr COLLINS (Sadadeen): Mr Speaker, the problem in this issue is not so much what the government has tried to do as the manner in which it has gone about it. It has played into the hands of those who want to give it a good stir.

Conversations with my constituents and a whole range of other people in Alice Springs indicate that most people are quite happy for the school councils to be dominated by the parent body. I would put it in terms of producers and consumers, consumers essentially being the parents of schoolchildren. Members of the opposition do not seem to have any problem with the notion that the consumers should have the dominant say. The producers of the service are catered for in the regulations. The school staff can elect 3 of its members to the council and, if you are a parent with a child at the school where you teach, you may want to lobby like mad so that you can be elected and have your say, because you are producer and consumer at the same time. The principal is an ex-officio member of the school council and that makes real sense because he runs the school from day to day.

My next point relates to the parents who happen to be teachers or allied to the school in some particular way. It is just as sensible to regard these people as consumers as it is to see them as producers. I have had some experience in education. I have seen many a young teacher arrive in a school, become very interested in federation matters, be very gung ho about the rights of teachers and be generally quite militant. However, when such people marry and have kids, and when their kids go to school, they suddenly become very interested in their education. I bet such people have been involved in some wheeling and dealing at times. They might, for example, confide in a principal that they know that a particular teacher is not as good as he might be, and ask that their own child be moved to another class. I bet that has happened. Such parents might themselves have been in the situation where older staff members took steps to keep their children out of their classes. That is quite possible. But the point I am making is that they know a lot about the system and they get to know the weaknesses. They know much more about them than other parents, who tend to think of schools in terms of the schools they went to.

I can certainly say that the schools that I went to as a child were very different to the schools of today. Parent have an impression of what goes on in schools but they do not attend classes and learn about the detailed workings of the schools. The average parent's knowledge of schools may be years out of date. What I am saying is that those producers who are also consumers know a great deal about the system. Rather than being people who

will gang up together and pull the wool over the eyes of other parents, their vested interest is in their kids. There may be some exceptions but, in the main, parents who are teachers know a darn sight more about the system than many parents who are not in the system and have vague views arising from what they were taught and how they were taught. They are the ones who can ask the searching questions and, I believe, they are the ones who will do the most to improve the quality of education. Unfortunately, the way in which these regulations have been drafted limits the numbers of these people on school councils.

I know that the secretary is listening and I would ask him to take that matter on board. If any school councils have been led up the garden path because the show was stacked, that certainly means that some parent teachers have been doing very poor jobs by their own kids. We are all pretty selfish basically and we want to get the best for ourselves and those that are near and dear to us. I believe the new regulations are unnecessary and I will continue to believe that until someone convinces me otherwise.

That brings me to my other point. Before the school councils proposal got off the ground, there was a tremendous amount of talk in the community. The subject was exhausted through COGSO, the school councils, parents and friends organisations etc. People felt as though they had an input and, basically, they were in agreement with the thrust. The minister is new to the portfolio and these regulations were simply foisted on the councils. There was no opportunity for input. I know that it requires time and effort to obtain the views of parents and get them to agree but that is no excuse for thrusting the regulations on them. If they had been presented to the councils in draft form, it might have taken a bit longer. On the other hand, it might have taken less time in the long term. I believe it would be an eminently saleable proposition that the producers of the service should be fewer in number on the councils than the consumers of the service. I do not think there would have been any argument if it had gone to the school councils first. If a producer is a parent and therefore a consumer, I believe that his actions as a member of the council will be strongly on side of the consumers of the service. He will want a topnotch effort from the staff to produce the goods, to make it a school of which he can be proud and in which his kids can do well.

Given the way that the regulations are expressed, it appears to people that the minister does have power over the coopting of members of parliament and local government representatives. Why not create a blanket cover? If some are to be permitted and some not, that would be a deviation from the principle, which I support, that more and more control in school affairs should be devolved to the community.

I was saddened to hear the comments of the acting minister this morning. These regulations are being forced on people. In the local paper, I likened the process to having a gun held at one's head and I do not resile from that. If a council does not revise its constitution to fit in with these regulations, the council will be on the road to being disbanded. That is similar to the argument used by people who are opposed to caning: that a kid who jumps over the traces should be suspended for a fortnight. That will not help that kid's education one bit. It will not help the other kids in the class when the teacher has to spend time with him later to help him catch up. There is a lot to be said for the argument that a couple of sharp taps with the cane can settle the matter so that the teacher can get on with the job of education.

It appears that the government is throwing out the key principle if it really wants devolution. I believe the regulations ought to be withdrawn, reframed and taken in draft form to school councils for their input. They want to be consulted, not to have a gun held at their heads. We might be able to bring some common sense into this matter. It should never have been blown up in the manner that it has been. The devolution of responsibility to school councils seems to be progressing at quite a reasonable rate. The government has introduced an exciting innovation. Why throw it away through these regulations? The government should not be pig-headed about it. Let's go back to the drawing board and start again.

Mr LEO (Nhulunbuy): Mr Speaker, so far the opposition has had the benefit only of the views of the Acting Minister for Education and the member for Port Darwin in relation to the opinion of the Secretary of the Department of Education. There has been much discussion about the validity of that opinion. Before this debate is over, I want the Attorney-General, the person responsible for the maintenance of law within the Northern Territory, to tell this Assembly whether or not all employees of the Department of Education are excluded from membership of school councils beyond those allowed under regulation 4(1A)(a). I want him to tell me whether they are excluded by law or not. If he can do so, perhaps it will clarify a number of the propositions that have been put in the House. I want the Attorney-General to tell me whether or not, under these new regulations, the minister has the power in law to veto the cooption of members on this Legislative Assembly or alderpersons to school councils.

I do not want the opinion of the Secretary of the Department of Education, nor the opinion of the Acting Minister for Education, nor the opinion of the member for Port Darwin. I want the Attorney-General to tell me what the law says. Government members may perhaps conclude then that the motion put by the member for Stuart must be agreed to. If the law now says that all persons employed by the Department of Education are excluded from membership on school councils, I would like to hear the member for Port Darwin repeat his speech. If they are excluded by law, then his entire speech was nonsense and the acting minister's speech was complete nonsense also. If, by law, the minister can disallow the cooption of members of the Legislative Assembly or members of local governments by school councils, the entire speech of the Acting Minister for Education was an absolute nonsense, as was the speech of the member for Port Darwin.

I hope that the Attorney-General will return as quickly as possible and explain that situation to the House. In the absence of that explanation, all the government is doing is repeating an opinion given to it by a bureaucrat, as opposed to expressing the law as it now stands. Mr Speaker, that cannot continue to happen in this Legislative Assembly. Opinions are not what count in matters of law. Does the minister really expect this Legislative Assembly to make laws which are destined to be nullified because, in the minister's opinion, they are not appropriate? Is that what he honestly expects us to countenance? I do not believe that that is what he thinks this Legislative Assembly is about. I do not believe that for a second. I hope that the Attorney-General has been listening to what I have been saying.

Mr Manzie: I would not have missed it for the world.

Mr LEO: That is good. Mr Speaker, I look forward to hearing the Attorney-General clarify these matters for me because all I have heard from the government benches so far is a couple of opinions which, quite frankly, are not worth a tinker's damn in law.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in this afternoon's debate, I shall speak without political affiliation to either the CLP or the ALP.

I cannot speak for school councils in other places but there is confusion among school councils in the rural area as to the ramifications of this legislation. They are not too happy about it. Nonetheless, they will endeavour to uphold the law with regard to the qualifications of people on school councils. I can only say that I will continue to inform those of my constituents who are members of school councils of exactly what the regulations said before 9 February and exactly what amendments were made to the regulations on 9 February.

Before 9 February, parents could be elected to school councils, teachers could be elected to school councils and, in certain secondary schools, 1 or 2 senior students could be elected. There are 2 students on the Taminmin High School Council. The head teacher was an ex-officio member and, in addition, 3 members could be coopted. Finally, the majority of members of each school council had to be parents. That was the situation under the old regulations.

When the councils were first established, terms of office were an issue. On their inception, many organisations decide that half the members of the committee will be up for election at the end of the first term while the other members will continue on for a little longer to provide continuity. The old regulations said that, subject to regulation 5(3), relating to the capacity for early retirement of members on first establishment, and regulation 7, which relates to casual vacancies, a member referred to in regulation 4(1)(a) which concerns parents, 4(1)(b) which concerns teachers and 4(1)(c) which concerns students, shall hold office for a term of 2 years. That is plain enough. The regulations also said that coopted members stayed on the council for 2 years. Regulation 5(4) said that 'a member, other than a member referred to in regulation 4(1)(d), shall not hold office for more than 3 consecutive terms referred to in subregulation (1). Subregulation (1) refers to the early retirement of half of the council members and casual vacancies. The clear understanding was that parents would retire after 2 years, teachers would retire after 2 years, coopted members would retire after 2 years, whilst the principal would not retire after 2 years but could hold office for no more than 3 consecutive terms.

The amendments have changed regulation 4 in various ways. Firstly, subregulation (1)(e), which relates to coopted members, has been changed so that it now allows the cooption of 'up to 3 persons who, in the opinion of the council, will assist the council in the exercise and performance of its powers and functions'. It has also been changed to allow, with the approval of the minister, the cooption of the local member of the Legislative Assembly and a person nominated by the local municipal council or community government. The amended regulation refers clearly to 'the approval of the minister'.

I am very sorry to see politics coming into education because that is what is happening. I do not know whether any of the school councils in my area want to coopt me. I am not a member of any school council at the moment but I am only a telephone call away, as their members are a telephone call away from me if there is a need to talk about any matter. However, the minister now has the power, recorded in black and white, to veto the cooption of a member of the Legislative Assembly. If he does not like the look of somebody from the Litchfield Shire Council whom the Taminmin High School or Howard Springs Primary School wants to coopt, he can veto that.

Regulation 4 was also amended to identify persons who are not eligible to be coopted. Such a person would be 'an officer or employee within the meaning of the Teaching Service Act or the Public Service Act and employed within the Department of Education' or a person who 'is employed in any other capacity at any government school'. If he is a teacher, a janitor or whatever, he cannot be coopted.

The next change relates to numbers of parents and teachers on the council. The amended regulation 4(4) limits the number of council members 'who are officers or employees within the meaning of the Teaching Service Act or the Public Service Act and employed within the Department of Education or are employed in any other capacity at any government school' and says that they 'shall not in the aggregate exceed one third of the total number of members of the council'.

Regulation 4(5) of the amended regulations says: 'The secretary may with the approval of the minister nominate a person to advise and assist a school council' - I like that, 'advise and assist' - 'in the exercise and performance of its powers and functions, and a person so nominated may attend meetings of the council, and speak thereat, but is not a member of the council and is not entitled to vote on any matter'. Mr Speaker, I would not like to say that that was received less than enthusiastically at Taminmin, but I will tell you that when the nominee of the secretary goes down, to put it mildly, he or she will not be very welcome.

Taminmin High School has not had very good relations with the Department of Education. The teacher body at the school has worked very hard with the parents in getting that school to its present stage with regard to the teaching of agricultural subjects in its farm school. The teachers were very active and the school council was very active. They approached the CSIRO and got it working with them. They approached TAFE and got it working with them. They approached the University College and got it working with them. They approached local people and got them interested. They approached individual members of the DPP and got them to help. I also helped them. People on community service orders assisted by working as labourers. However, the school received minimal help from the Department of Education. I do not care which person in that department is listening to me say this today. I would say it to their face out in the open. The school and its council received minimal help from the Department of Education. But wait, Mr Speaker!

Last year, when everything seemed to be going pretty well and all the good things that had been organised by the Taminmin High School seemed to be getting some good publicity, who should hop on the bandwagon but a certain 2 senior members of the Department of Education who said, 'Oh, what a good idea. We will now declare this a school of excellence'. I now believe that a plan is being prepared and put together somewhere in the Department of Education regarding the future of the Taminmin farm school. I am waiting with great interest to see this plan because, to my knowledge, there has been minimal input, despite promises. I have seen letters promising that there would be an opportunity for input but the reality is that there has been minimal opportunity either for teachers at the school or parents with particular expertise to input into the plan. In some respects I hesitate to discuss this because I would hate my voicing of these concerns to result in the victimisation of certain teachers at Taminmin. I certainly will be paying attention to that because I know it is not beyond the bounds of possibility that victimisation of certain teachers can occur.

It has come to my attention that the reason for these amendments to the regulations stemmed from 3 areas. I believe there was trouble at Katherine between parents and teachers on the school council. I believe there was trouble at the Jabiru School Council where one parent complained that another parent, who happened to be a TAFE teacher who was not teaching at Jabiru but who was on the school council and who had 5 children at Jabiru School, should not have been on the school council. I also believe there was trouble at Nightcliff where somebody high in the hierarchy of the Teachers Federation was throwing his weight around a bit. Mr Speaker, I believe the amendments to the regulations were unnecessary. School councils were going along quite happily as they were before.

Mr Speaker, I support the motion.

Mr HATTON (Chief Minister): Mr Speaker, before specifically addressing this particular matter, I am sure honourable members will be pleased to hear that, in the bicentennial football game being played in Adelaide at the moment, the Northern Territory is leading Tasmania by 2 points at half time. I am sure honourable members will wish our fellows well in that particular contest.

Mr Ede: Hear, hear! Sit down.

Mr HATTON: Mr Speaker, I turn to the motion we are debating. We are dealing with a specific regulation put in place by recent amendments to the Education (School Councils) Regulations.

There is no doubt that there is clear agreement in this House with respect to the fact that the regulation provides that the one-third provision does not cover employees other than full-time, continuously employed people in the Department of Education or the Northern Territory Teaching Service. There is no question that that position has been agreed upon. The dispute that has been aired here today concerns the technical interpretations of the regulations ...

Mr Smith: In the legal opinion on the regulations.

Mr HATTON: ... in accordance with a legal opinion that was tabled this morning. The debate seems to be centred on whether or not that interpretation alters what has been quite clearly and consistently stated as the intent of the regulation. I refer particularly to the statements made by the Minister for Education earlier in these sittings and the much-debated memorandum from the Secretary of the Department of Education dated 16 February. Honourable members opposite, quite rightly, made the point that the issue of intent is subservient to the issue of the correct legal interpretation of the wording of the regulations. My point is that there is no dispute in this House about the intent or the objective of the legislation, nor has there been any reluctance on the part of the government to make any amendments necessary to ensure that what was intended by the regulations is achieved. I am sure that the Minister for Education will be addressing that specific matter.

The Leader of the Opposition and others spoke about the regulation which provides that the approval of the minister is necessary for the cooption of MLAs onto school councils. I can advise honourable members that that was done because the regulations governing school councils say that there shall be a maximum of 19 members on a school council ...

Mr Smith: What a lot of crap.

Mr HATTON: That is a fact, Mr Speaker. It is not, in the unparliamentary terms of that interjection, 'a lot of crap'.

Mr Smith: Oh, Mr Speaker!

Mr HATTON: I withdraw that remark, Mr Speaker. I was merely quoting verbatim what the Leader of the Opposition said. I have withdrawn the remark, Mr Speaker.

Mr Smith: There is no need for him to drag himself down to my level, is there?

Mr SPEAKER: Order! The Chief Minister has withdrawn his remark. A similar remark was made by the Leader of the Opposition member and I would ask him to withdraw.

Mr SMITH: Mr Speaker, I withdraw.

Mr HATTON: The regulations set a maximum of 19 members on school councils. The new regulation was designed to ensure that, if the cooption of a member of the Legislative Assembly would result in that membership limit being exceeded, the minister, who is the only person who has the authority to approve additional members for a school council, could increase the size of the school council to allow for the cooption of the MLA.

It is true that there are other mechanisms which can achieve this and the matter can be addressed. Quite clearly, there is no dispute about the government's objective - and I think that goes for all members of this House.

Mr Smith: You are wrong.

Mr HATTON: It is advisable that MLAs should have the opportunity to participate on school councils and that is to be encouraged, but that should not in any way be seen as limiting or reducing the potential for parent participation on school councils.

I would like to address a third point, which is the great to-do that has been made about the position of head teachers in relation to their membership of school councils. When the regulations were amended, and again I would ask honourable members to look at the legal interpretation rather than the perception ...

Mr Smith: How come you have a legal interpretation of this but not of the other matter?

Mr HATTON: Mr Speaker, if the Leader of the Opposition wants to make a fool of himself, I really should let him.

The regulations determine that the head teacher is an ex-officio member of the school council which means, according to advice from Parliamentary Counsel, that he is not covered by the limitation to 3 membership terms. That is why a specific exemption was unnecessary in the new regulations. There was no intention of limiting the role of the head teacher as an ex-officio member of the school council. It was a technical tidying-up of the legislation. The principal can and will remain an ex-officio member of the school council for the entire period during which he remains the principal of the school. He is not an elected member of the school council; he is ex officio under the regulations and therefore is not affected by the limitation to 3 membership terms.

Mr Speaker, I will come back to a few of the other basic points that have been made in this debate. What these regulations are about is ensuring that, to use the member for Port Darwin's terminology, 'lay parent' representation will be in the majority on the school councils. Whether members like it or not, the reality is that many parents who attend school council meetings often feel intimidated by people who are teachers by profession or professionals working specifically in the education area. I have had parents tell me on a number of occasions that they have felt constrained from speaking out against views expressed by teachers on school councils. There is no doubt that that can sometimes be an intimidating experience for parents. It is even more intimidating if the parents are in a minority. That is a reality on school councils. Very often, we receive representations from parents about the sense of intimidation they experience when serving on school councils.

The entire thrust of our school council initiative is that we want active and significant input by parents, via school councils, into the education of their children. We have been given numerous examples in today's debate of situations in which people working in the education system, particularly teachers and their representatives, have a say through a wide range of consultative mechanisms and on school councils. It is right and proper that they should have such input because they are professionals in the field. However, that is not to say that they should have all the say. Parents should also have a say. School councils offer them a voice and they should be in a majority there. They also have representation through COGSO.

Mr Speaker, another point that is often overlooked in this debate is what these regulations refer to as the elected members of school councils who have voting rights. As all honourable members who have been involved in school councils will be well aware, there is nothing to prevent any parent or member of a school community attending school council meetings and contributing to debate. Many parents take that opportunity.

Mr Smith: They cannot be elected and they cannot vote if they happen to work in the Department of Education.

Mr HATTON: Mr Speaker, the Leader of the Opposition would not know.

Mr Smith: I have been to more school council meetings than you have, my friend.

Mr HATTON: It may be that, as a teacher, you did.

Mr Speaker, we are determined to ensure that there is a majority of parental representation.

It is a fact that the previous Minister for Education and myself have, on a number of occasions, received very strong representations from parents in the Alice Springs area, the Katherine area and the Tennant Creek area in respect of this matter.

In addition, during the controversy generated over the 'Towards the 90s' document last year, the Secretary of the Northern Territory Teachers Federation issued an open threat to the senior officials of the Department of Education and the government that the federation did not care what we did with 'Towards the 90s' and devolution because it would move to take over the school councils. Mr Speaker, we will not let that happen. We are determined. The Secretary of the Northern Territory Teachers Federation made a clear threat to the government that it intended to use its members from other schools who had a child ...

Mr Ede: Where is the evidence?

Mr Smith: Name one school.

Mr HATTON: Mr Speaker, that was a clear threat and, more than anything else, that was the genesis of this regulation.

In the last couple of weeks, we have had representations from parents. I understand that the member from Katherine has had representations from parents in Katherine to the effect that, even though we have amended the regulations, the teachers are still running school council meetings and not giving the parents a fair chance to have their say. If we are determined to have parental involvement, we must ensure that parents have that majority say on the school councils. We are not the only government that has moved in respect of this. Similar regulations have been introduced in a number of places, including South Australia, ACT and Victoria. In Victoria, there is a limit on staff members other than teachers. The Labor government in Victoria felt the necessity to ensure that parents were properly represented. In this matter, we are at one with that government.

There are elements in the opposition motion which are of value. There is a need to ensure that the regulations are expressed in correct legal terminology so that they reflect the true intention of the government. I do not really believe there is any dispute about the intention but opposition members have legal advice that, technically, the regulations may not achieve the intention. In respect of the head teacher's position, I have adequately explained that, as an ex-officio member, his circumstances are already covered by the existing regulations. I have covered all of the points pretty well. There are elements of this motion that are correct and other elements that are superfluous.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to comment on the motion by the shadow spokesman on education, on comments made generally about the administration of schools and on the proposal by the government to amend the school council regulations and control the membership of school councils. There are several aspects of the proposal that are of concern to me and I would like to place them on record because they are very simple. The impact that these regulations will have on small schools is quite serious and the government ought to be aware of that even if it does not take any notice or do anything about it.

I have said on many occasions that I am in favour of the devolution of responsibility to schools. It is a great idea and the sooner it is achieved, the better. However, I was concerned this afternoon to hear the Chief Minister say that the genesis of all of this was a threat by the Teachers Federation to take over school councils. If this is a reaction to a threat by the Teachers Federation, I really am at a loss to know what will happen next.

Very simply, the success of these regulations comes back to how well they work on the ground and how much community support they have. Mr Speaker, let us consider the situation in some of the smaller schools in my electorate and even a couple of schools that you would be well aware of. Let us take the school at Ti Tree. Most of the children at Ti Tree come from within a radius of about 70 miles. You would only find half a dozen children attending that school who live in the town itself and, because of employment and other circumstances, the number of parents who would be available to serve on that school council is probably fairly limited. If the intention is to restrict the number of teachers on a school council in a place like Ti Tree, that

school council can be written off because there will not be enough people willing to serve on it.

People in those small communities look to teachers to participate on school councils and give them the strength that they need. That is not only because they are teachers, but because they are citizens in the community and, sometimes, parents. The local people really expect teachers to give guidance and show an interest in the activities of the school council. In the case of a small town like Elliott, a couple of hundred children attend the school. At most, 5 or 10 of those would be European. The reality is that most Aboriginal parents do not get involved in school council activities. Consequently, if teachers are removed from school councils in those small towns, there will be insufficient numbers to administer them. Borroloola could be put in the same category. Its school is quite large, with 300 or 400 students and 30 or 40 teachers and, again, the teachers are the backbone of the school support group in the community.

Mr Hatton: How many of these places actually have school councils?

Mr TUXWORTH: Mr Speaker, unless something has happened recently, all of those places have school councils and they have all had them for some time. Those councils play an important role in running the schools. It may not be done in exactly the same way as occurs in Darwin, Alice Springs, Tennant Creek or Katherine but those councils certainly play an important support role in the administration of schools. If the government intends to apply regulations like this to those schools, it can forget about devolution. It does not have a prayer.

The council of the Tennant Creek Primary School met last night and said that it did not agree with the government's new regulations. It elected a school council under the old regulations and it is comprised of 3 teachers and 8 other members of the community, a total of 11. Even in a town the size of Tennant Creek, there will be problems with maintaining sufficient numbers on the council with population turnover, work commitments and so forth.

It is becoming very difficult for people in the community to follow what is happening. On one hand, the government is telling school councils to grow up, to take over the activities of the school, to run it to the satisfaction of the community and its members and also to satisfy the legal requirements of the minister. On the other hand, the government tells councils that they can only have a certain number of teachers among their ranks and that if they want to coopt their local MLA or a member of the municipal council, that will have to be approved by the minister. These requirements might work very well in Darwin or even in Alice Springs. In a small community, however, they are a joke.

If we have to go through 6 or 12 months of turmoil and frustration in the smaller communities before the government realises what it has done, I guess we had better get on with it so that eventually the regulations will be changed. It is not fair to ask school councils to accept additional responsibilities such as administering large amounts of money in terms of school funds, organising contracts and so forth and, at the same time, to give directions about who can be members of school councils, directions which will eliminate some good people because the government does not like their background. That is hardly reasonable. However, if a school council does founder because of it, the first critic will be the government, accusing its members of being a bunch of dummies who did not get it together. That could well come about because the community was not able to choose the best people for positions on its school council.

What concerns me most is that, in the final analysis, parents might simply say: 'Let the government run the schools'. The truth is that the government needs the school councils more than the school councils need the government. If the parents lose heart and just go home without taking any interest in the schools, who are the losers? The children, certainly. But all of us are losers. The government's action seems to have put nearly all parents offside at a very early stage and into a frame of mind where they do not really care whether they are on a school council or not. I know that some school council meetings have discussed the possibility of simply acting as a parents and friends body which has cake stalls, raises money for the school and helps out in other ways, as happened in the early days.

Mr Coulter: That is fine.

Mr TUXWORTH: Right. But what is the benefit of that in the context of devolution? If that is what the acting minister wants to achieve, let him say so and offer people the clear choice of going one way or the other.

Mr Coulter: The option is there. It is a free society.

Mr TUXWORTH: That is the first time it has been put in such clear terms. Perhaps it would not be unreasonable for the minister to write to school councils and tell them that, if they do not like the new regulations, they do not have to conform with them but can simply become parents and friends organisations.

Mr Manzie: That has got nothing to do with the regulations, Ian. That possibility has been open all the time. It has always been an option. You have not understood anything that has happened in the last 2 years.

Mr TUXWORTH: The point that I am making, if the minister would like to listen, is that the government cannot have it both ways. It cannot beat people over the back with a stick and at the same time tell them to accept devolution.

Mr Manzie: That is their choice.

Mr TUXWORTH: It may not be their choice, Mr Speaker. The minister is incorrect in saying that because he would be well aware that, during his period as Minister for Education, some schools were encouraged to take over administration of their schools if they wanted to receive more assistance from the government. That was part of the carrot that was dangled from the stick.

If we are going to have school councils and give them autonomy and responsibility, let us take off the shackles. Let us get rid of this siege mentality about the teachers taking over the schools through the school councils and let people make up their own minds about who they want on the councils. If people in the community are big enough to decide that they want to have more responsibility for the running of their schools, they are big enough to decide who they want on their school councils. If we are not gracious enough to give them that responsibility, the whole thing is heading for a period of enormous disruption and disappointment, particularly for those parents who want to be involved.

Mr Speaker, my last 2 points concern the desirability of having members of municipal councils and or MLAs appointed as members of school councils. That really is pretty presumptuous. The membership of the school council is a matter for the school community and the school itself. It smacks of the old

days of the town management board, where the government allowed 5 local members to be elected but insisted on having 4 officials on the boards just to keep an eye on things and to keep the choker tight so the board did not get carried away and do too much. It was the epitome of colonial administration, and I have a funny feeling that we are heading down the same road again. If a school council wants the local MLA to be one of its members, that is a matter for it. Why does it need to be told by the government that it can coopt a member of parliament and or a representative of the local municipal council?

Incidentally, I have spoken to 4 or 5 councillors about local government representation and the first they heard of the proposition was when it came through on the news. Nobody from the Department of Education or the government had asked them how they felt about being made special members of school councils. It just so happens that most of the members of the Tennant Creek Town Council have children who have grown up and left school, and they do not feel it is appropriate for them to be on school councils. They would like to leave school council positions free for people who have children and have an interest in the schools. Like other towns, Tennant Creek has 2 or 3 primary schools and kindergartens. Are they all to have the same local member on their councils simply because he has 2 or 3 schools in his electorate or 2 or 3 schools in his town? That just does not wash with the wider community and it certainly does not wash with the people who are seeking to be involved in the administration and promotion of their schools.

I am all in favour of devolution but when you devolve responsibility you also have to give people a chance to work it out for themselves. An interesting parallel was put to me the other day by somebody in the community who said: 'How would you fellas have liked it if, when you were given self-government, you were forced to have a percentage of Aboriginal MLAs, simply because Aboriginal people comprise 25% of the population?' If we are going to give people the authority and independence to run their community schools, let us give it to them and let us be magnanimous about it. We should not worry about veiled threats from the Teachers Federation that it will take over school councils because anybody who believes that that is likely in a small community just does not know what is going on.

Mr FINCH (Transport and Works): Mr Speaker, this debate is extremely serious and, whilst I will be brief in my contribution, that does not reflect the seriousness with which I regard the matter.

I have been extremely disappointed in the attitudes of the members of the opposition and even the members on the crossbenches.

Mr Bell: We are not too happy with you either, Fred.

Mr FINCH: Mr Speaker, there is a particular member of the opposition in whom I am extremely disappointed and that is the member for MacDonnell. Just prior to lunch, the honourable member thought he would display his absolute lack of responsibility by prancing about this Chamber like a schoolboy for the sake of an audience of ...

Mr Bell: At least I do not talk like one, Fred.

Mr FINCH: The member for MacDonnell might like to get up later and give us the benefit of his higher education.

The cries from members of the opposition and the members on the crossbenches have all been about democracy or the lack of it. Mr Speaker, the

whole purpose of the regulations is democratic; it is about providing balance and equity, about giving people having reasonable representation and a fair say. If you want to take it to the extreme, Mr Speaker, you might call the regulations guided democracy. They ensure that there is a proper balance in school councils. What is the alternative in terms of democracy? Perhaps it should be compulsory voting by all members of the school community, parents and teachers alike. Perhaps that system of democracy would remove all teachers from representation on school councils.

I am not averse to acknowledging that there are great benefits in having educators involved in school councils. I have a great deal of respect for the majority of teachers I know, and I am sure that their dedication must be capitalised upon. However, we do have to ensure that there is broad representation, not just from teachers, not just from the mums and dads but, particularly in secondary education, from the business community at large. Far too often in education, people become entrenched in their profession, entrenched in Academe, and they lose sight of the world at large. I think there is an extremely important role to be played by members of the broader community. To ensure that that occurs, the regulations provide for reasonable representation.

Members opposite might ask what is the optimum distribution of membership to take in both the teaching fraternity and the broader community, given that councils could previously have anything from 100% to 0% of their membership comprised of teachers and educators. This government happens to think that a third is a fairly reasonable sort of a figure. We could stand here arguing all day about percentage points but the fact is that there ought to be a reasonable balance. Since my kids first started school, I have had the experience, as I am sure many other members have, of being involved not only on school councils but in discussions with various teachers, some of whom have some rather strange views on life. They are a minority. However, I would like to suggest that one way of ensuring that the community is not totally reliant on education personnel is to look towards a formula such as this to ensure a reasonable balance.

We have heard claims about politics entering into school councils. I have witnessed politics in action, particularly by ALP candidates, at school council meetings. For members opposite to suggest that their colleagues do not play politics in school councils is an absurdity. In some cases we have seen a deliberate push in school councils. I am aware of cases where there have been moves by teachers from other schools to push their views in order to ensure greater proportional representation on school councils.

The whole debate relates to democracy and it is high time we put this matter to bed and stopped playing politics with it. It is far too important for that, in terms of our future.

Mr BELL (MacDonnell): Mr Speaker, I want to make some general comments in support of the motion proposed by the shadow minister for education, the Deputy Leader of the Opposition. Quite obviously, I strongly support the motion. I have had some considerable experience with school councils over the last 20 years or so, both as a parent and - dare I say it, lest people heap vile calumny on my head - as a teacher. My experience is a little broader than school councils. It embraces some of their predecessors, such as parents and friends associations, which were not necessarily incorporated organisations and did not have the same sort of statutory basis or the greater responsibilities that are being directed towards school councils these days.

I think it is worth while dwelling for a moment on the involvement of parents in schools. Before I came to the Territory, I taught in schools where parental involvement was of a very high order. Parents were enthusiastic and were deeply involved in school activities. Sadly, there were other schools, and I remember one particularly, where parental involvement was not so great.

It is worth thinking, for a moment, about why parents do or do not become involved on school councils. There is a question of time. In this day and age, where both parents are working, a great effort is required to attend and be active on a school council. I think all honourable members will have been through the experience of getting home from work at 5 pm or 6 pm and saying: 'Oh no, not a meeting'. That is exactly the reaction one experiences and that is one of the reasons why some people are not as enthusiastically involved in school councils as others.

Another reason why parents do not become involved, and I think this is more true in the case of high schools than it is with primary schools, is that parents tend to be a little intimidated by the schools and schoolteachers ...

Mr Collins: And education jargon.

Mr BELL: Yes, I dare say that parents who are used to calling a spade a spade are either disenchanted with or intimidated by some educational jargon. That may well be the case. One reason for that, which is probably worth pointing out, is that it is much easier for parents to become involved in both primary and secondary school councils if they themselves have completed secondary education and perhaps have had some tertiary education. If they have not completed secondary education or undertaken further education of some sort, I think they are much more likely to feel intimidated by the process, and that probably needs some examination.

My own experience of school councils is that, where a majority of parents have not completed secondary education themselves, there tends to be less parent involvement. Conversely, where there are parents who have completed secondary education themselves, there tends to be a much stronger involvement. I do not think there is anything particularly astounding about that, but it is worth mentioning in the context of the debate. I mention it because, as the member for Barkly said, in many cases it is difficult for schools to find enough people to fill the places on their school councils. My wife was chairman of the council at Alice Springs High School when it was going through the initial process of incorporation under the school council section of the Education Act, and it was very difficult to arouse interest and get people involved. In that context, the approach of the government, as exemplified in both the regulations and comments made in this Assembly, is a matter of some concern.

Having had the experience of getting parents involved in schools - and I refer here not just to Aboriginal schools but also to high schools I have worked in where the communication between school and home has sometimes been problematic - I suggest that the minister, in reacting in this extraordinarily paranoiac fashion, may be creating considerable problems for school councils. When he returns from his overseas sojourn, he should give due consideration to disallowing these regulations.

If the membership of school councils were being swamped by teachers, that would be a different situation. However, there is no evidence that that is the case and the minister has not mentioned any particular place where that has occurred. Nor has he been able to table letters from concerned

constituents or other Territorians saying that school councils are being swamped in this way. I know that teachers have been vocal at meetings occasioned by the minister's release of the 'Towards the 90s' document, but their criticisms have been quite accurate and have been embarrassing to the government. However, I would have thought that, if the government were as confident as the Minister for Education suggests, it would be a simple matter for it rebuff their arguments. It has not, however, been so simple, and our experience in Alice Springs is that no member of the government has been prepared to front those meetings.

Mr Manzie: Oh come on. I have been to every meeting of every school council in Alice Springs in the last 12 months on this particular issue.

Mr BELL: Mr Deputy Speaker, I am pleased about that, and I will come to the Attorney-General and former Minister for Education in a minute. I am talking about the public meetings that were held when he started to talk about the 'Towards the 90s' document. He and the Chief Minister were specifically asked to attend meetings and, in a thoroughly spineless fashion, they did not do so.

As has been pointed out, the current regulations restrict the number of teachers who may be on a school council. Regulation 4(3) refers to a majority of members of each school council being parents. That is quite reasonable. As far as I am concerned, if people have children at a school and want to serve on its council, their station in life and their particular vocation are quite irrelevant.

Mr Speaker, let me turn to a particular question on a point of law. The first law officer of the Northern Territory, who fortuitously happens to have been the previous Minister for Education will, I hope, in the context of this debate, provide some advice to the Assembly about this. I would like to see him produce some advice that is in contradistinction to the sensible proposals that my colleague has put forward in this amendment. I would like the Attorney-General to tell the Assembly what the law now means.

I refer to the amendment to regulation 4, which has inserted subregulation (1A), which sets out those categories of persons who may be coopted by school councils. Having done that, subregulation (1A) also defines a category of persons who are not eligible to be coopted. It states that 'a person is not eligible to be coopted by virtue of paragraph (a) if he is an officer or employee within the meaning of the Teaching Service Act or the Public Service Act and employed within the Department of Education, or is employed in any other capacity at any government school'. My reading of that is that it means what it says: a person is not eligible to be coopted if he is a member of the Teaching Service or a public servant employed by the department - any employee. As the opposition spokesman on legal affairs, I want the Attorney-General to give the House a legal interpretation and I assume that he will do that. My reading of that part of subregulation (1A) is that it means all employees and that it does exclude, as the Minister for Education has claimed in this Assembly, ancillary employees such as janitors, gardeners and so forth. I see the minister nodding his head but I want the Attorney-General to give us his opinion.

I also want him to tell us what the law is in relation to ministerial discretion over the membership of MLAs and local government representatives on school councils. I suspect that he is not going to get to his feet, but I would very much like him to tell us, in his capacity as the first law officer of the Northern Territory, how he interprets that particular section.

Mr COULTER (Treasurer): Mr Speaker, I seek leave to make a further statement on the subject of debate before the Assembly. My statement will put beyond doubt the government's intention in relation to the regulations.

Leave granted.

Mr COULTER: Mr Speaker, in order to clarify the situation and to put the matter beyond any doubt, the government will amend the Education (School Councils) Regulations so that it is clear that it refers only to full-time officers or employees under the Teaching Service Act or the Public Service Act - that is, people who are employed full-time within the Department of Education or who are employed full-time in any other capacity at any government school - who will be limited in terms of the one-third representation on school councils. The government will make the same amendment to regulation 4(1A) of the Education (School Councils) Regulations which relates to the cooption of employees onto school councils.

The government will also amend regulation 4(1A)(b) so that the minister's approval is not required for MLAs and local government representatives or their nominees who may be coopted onto school councils. The original regulations will be amended so that these people are coopted in addition to the permitted numbers allowed to school councils.

Mr Speaker, this does not conflict with what the Minister for Education has had to say on these matters. He has stated consistently that it is not the intention that the regulations should apply to casual employees, relief teachers and so forth and he has stated that his approval would not be used as a veto. Therefore, these amendments are consistent with the minister's statements.

Mr EDE (Stuart): Mr Speaker, I thank the Acting Minister for Education for his graciousness in acknowledging the mistakes of the minister and at least coming some of the way towards solving this problem. I see now why the actual minister was sent overseas. If an overseas trip was needed for the problems to be rectified, I am sure that many people on school councils will be thankful.

There is still a difficulty in the approach that has been taken. When the minister comes to the actual drafting stage, I hope that he will consider the situation of full-time employees such as janitors, gardeners, tuckshop employees and clerical workers in the Department of Education. As a compromise, I would suggest that there should be no restrictions placed upon non-executive public servants in the department.

I thank honourable members for their contributions to this debate. I am disappointed that the Attorney-General has not spoken. He might have been able to clarify some of the issues in relation to points of law and it is unfortunate that he did not do so. I was also rather bemused that the Minister for Health and Community Services, who was one of the most blatant interjectors this morning, decided not to contribute to the debate. I thought that he would have something to say but, once again, I was disappointed.

The member for MacDonnell made some very valid points on the difficulty of achieving numbers on the councils and the same point was made by the member for Barkly. It is not only in remote areas that this difficulty occurs. The member for MacDonnell indicated the difficulty at Alice Springs High School. It is worth noting that enthusiasm is a very important ingredient in the membership of a school council. All members will be aware of AGMs where a few

positions are filled and then other people have to be more or less pushed into making up the numbers. The problem continues over the following 2 years because the people who were dragooned into membership often do not attend meetings.

Out bush, we have particular problems in getting people involved because there are not a large number of enthusiastic people. Many of the people who are enthusiastic are employed by the department as janitors, gardeners, teaching assistants and so on. I have heard from schools that are being forced to use what can only be described as 'devices' to get around these regulations.

People are talking about how they can subcontract to a community organisation such things as cleaning and maintenance and then use the school's employees in that organisation. That would allow those people to be eligible for the council. Others are talking about the formation of subcommittees. They say that, through the subcommittee system, they will be able to get around the problem so that they can continue to operate. Others say that they have provision in their constitutions for proxy members. It does not appear to them that the provisions that relate to actual members relate also to proxy members. The point that I wish to make is that, if people are forced to use devices to get around what is essentially a fairly ridiculous regulation, we should amend the regulation itself.

The Chief Minister made the quite outrageous statement that teachers, through their federation, had threatened to take over the school councils. Not one iota of evidence has been advanced in support of that incredible statement. It ranks with some of the more outrageous statements made by the Minister for Education last month about teachers. He should take some advantage of the balance of these sittings to apologise for those statements or else put some evidence for their truth before this House.

Mr Speaker, paragraphs (1) and (2) of the motion were agreed to by speakers on both sides of the House. In respect of school councils coopting their member of parliament and a local government representative without ministerial veto, there was some toing-and-froing about the actual legality and the intention. That has now been clarified by the acting minister who has stated that he will change the regulations to ensure that the intention is clear.

Paragraph (4) of the opposition's amendment requests the government to ensure that 'head teachers are always members of school councils'. It appears that there is still some argument as to whether that is the case in law at the moment. The Chief Minister gave an interpretation stating that the new regulation does not change the situation of head teachers on school councils and that their membership of a council can continue for as long as they are head teachers in the school. I have not had time to obtain a written legal opinion on that. I have discussed it with a lawyer who said there is case for arguing that, where a specific exclusion is made in terms of a general principle, the principle itself is weakened. I would like the government to provide the Assembly with a legal opinion on that. I hope that the legal opinion the government received on the run did not come from the same source as the legal opinion that it obtained in relation to the position of part-time and casual employees because that was found to be flawed and, in fact, wrong at law.

Mr Speaker, I thank all honourable members. It is quite obvious from what everybody has said that all the points that we have raised in this motion have

been agreed to by both sides. I look forward to the support of the House for the motion.

The Assembly divided:

Ayes 6	Noes 15
Mr Bell	Mr Coulter
Mr Ede	Mr Dale
Mr Lanhupuy	Mr Dondas
Mr Leo	Mr Finch
Mrs Padgham-Purich	Mr Firmin
Mr Smith	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Motion negatived.

MOTION
Congratulatory Telex to NTFL Team

Mr DALE (Health and Community Services)(by leave): Mr Speaker, in anticipation of a magnificent win by the Northern Territory Football League, I think it would be timely if that team were to receive the acknowledgement of this House when it leaves the ground. I am advised that the lead at this moment is some 11 goals and, with about 10 minutes to go, I think we can anticipate a win.

Mr Speaker, I move that all members of this House endorse the sending of a telex to the coach of that team, congratulating its members on behalf of all members of this Legislative Assembly.

Mr SMITH (Opposition Leader): Mr Speaker, I find myself in rare agreement with the Minister for Health and Community Services. It is a significant day for football in the Northern Territory. I know that many football supporters whose opinions I value had some doubts about the ability of the Northern Territory team to perform well in Adelaide and today that team has achieved an extremely encouraging result. Knowing the capacity of John Taylor and the people that he has with him down there, I am certainly not surprised. The tactic that has been developed very successfully up here to compete against southern sides has obviously been translated to Adelaide. That tactic is to play wide and loose and to run very hard indeed. The intention is to run everybody else off their legs and that has been very successful up here and, quite clearly, it has been very successful in Adelaide. On behalf of the opposition, I warmly support the motion.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I would like to endorse the sending of this telex as I believe that the Territory will win hands down. I do not think this will be the last telex that we will send to the team. I think we will be sending a few more, because I do not think this will be its only win.

Mr SPEAKER: I would like to associate the Chair with the remarks of honourable members, and I might say that it is the first time in a number of days that the Chair has been in total accord with all members on the floor.

Motion agreed to.

MOTION
Advanced Education in the Territory

Mr EDE (Stuart): Mr Speaker, I move that this Assembly:

(1) draw to the attention of the government the lack of broad consultations on the issue of the future of advanced education in the Territory;

(2) note the confusion and concerns that exist because of that lack; and

(3) request the Minister for Education immediately to remedy the situation.

Mr Speaker, I am sure that we will be able to find a similar degree of mutuality on this motion, if we apply our minds to it and work for what is for the good of the Northern Territory.

I arise today to debate a matter which is of crucial importance to the Northern Territory. It is no less a matter than the future of higher education in the Territory, and that means the future of students now in other sectors of the education system who are looking to go on to higher education. It means the future of Territorians already in the work force who want to improve their education and their skills to provide a more viable economic and educational base for our community.

The federal government is providing a once-in-a-lifetime opportunity for Australia to reorder and make relevant its higher education system, an opportunity that will set this country on a path that will make it the leading nation in the region in terms of education. It has given the Northern Territory an opportunity to be part of that process. It has produced a policy discussion paper designed to bring into the public domain a stimulating and vigorous debate on our national tertiary education priorities. Let us first look at the Green Paper's proposals.

The paper aims to provide a framework for community consultation throughout Australia. It hopes to identify the directions higher education should be taking in accord with current social and economic change in Australia. These factors are critical in determining the demand for appropriate skills in the work force. It proposes an expansion in the provision of higher education and aims to improve access to higher education for people who have not traditionally participated in the education system. It signifies a significant change in education thinking and could be considered as heralding the greatest revolution in the Australian education system since primary education was made compulsory, free and secular in the last century.

Some of the paper's key principles provide for: (a) a fair chance for all - that is, increasing the access and the equity for Aboriginal people, for women, for people in rural and isolated areas and those who are financially disadvantaged; (b) a unified national system - that is, removing the formal

and artificial distinctions between universities and colleges of advanced education, while establishing new links between higher education and technical and further education; and (c) fewer and larger institutions nationwide. The focus would be on cost-efficiency and effectiveness associated with expanding student choice.

The aim would be to reduce course duplication and enhance course credit transfers. There would be fewer and larger institutions grouped loosely into 3 categories which would be determined by the number of what are referred to as EFTSUs - that is, equivalent full-time student units. The first category, which would be classified as 'teaching institutions' would comprise those institutions across the country which had 2000 EFTSUs. The second category, to be classified as 'developing institutions', would comprise institutions with approximately 5000 EFTSUs and would carry out teaching and specialist research. The third category, 'comprehensive universities', would have 8000 EFTSUs or more and would carry out teaching and broad research.

A key objective is effective resource allocation. Triennial funding would be used to provide operational grants to institutions. These grants would be combined with funding of capital works on a project basis. Staff resources would be better used, providing greater scope for movement of staff and recognition of excellence. There would also be a national minimum scale of salary rates and conditions.

In summary, the Green Paper proposes a national framework into which education facilities, having designed and implemented appropriate educational profiles, would fit. Institutions would generally become larger, providing a greater range of courses and resources, and would be rationalised to prevent unnecessary duplication. A cost-benefit approach would then be well balanced with economic soundness.

Mr COULTER: A point of order, Mr Speaker! The motion we have before us it is quite specific. It '(1) draws to the attention of the government the lack of broad consultations on the issue of the future of advanced education in the Territory; (2) notes the confusion and concerns that exist because of that lack; and (3) requests the Minister for Education immediately to remedy the situation'.

The opposition spokesman on education is discussing a range of issues which have nothing to do with the motion before the Assembly.

Mr EDE: Mr Speaker, it is quite clear that the motion relates to the future of advanced education in the Territory. It refers to confusion and concern and requests the Minister for Education to remedy the situation. It is quite impossible to develop a contribution to a debate of this nature without setting out the framework within which advanced education is proceeding nationwide. It is agreed by both sides of the House that the Green Paper sets out the parameters within which the motion must be debated.

Mr HARRIS: Mr Speaker, in speaking to the point of order, I acknowledge that the motion before us is of a very serious nature. I do not agree with it, but it makes specific reference to the issues to be debated. The Green Paper needs to be commented upon and I am happy to hear the opposition's views about it. This debate, however, is about a specific motion and the speaker is not addressing that motion.

Mr SPEAKER: There is no point of order. However, I would ask the member to relate his remarks more closely to the motion.

Mr EDE: Mr Speaker, perhaps it will assist honourable members if I refer to the Territory context in which 1988 offers a window of opportunity for the Northern Territory government. The Green Paper's guidelines will assist it to redress its tertiary crisis.

Currently, about 442 students are enrolled at the University College of the Northern Territory, giving it an approximate equivalent full-time student unit of about 290. As I understand it, the enrolment includes some 191 full-time, 251 part-time and 13 external students. The University College of the Northern Territory would find it very difficult to justify its existence as a separate entity in terms of the Green Paper's guidelines. It would certainly have difficulty justifying its $46m bill to the Northern Territory taxpayer.

Mr Speaker, the minister will be able to correct me if I am wrong, but I believe that the EFTSU level at the DIT is in the vicinity of 1100 in the upper-level courses, which go down to associate diploma level. The balance of TAFE courses would add about 400 EFTSUs to that. Even in combination, the total of the 2 EFTSU numbers is only some 1500, which falls well short of the Green Paper's requirements. However, the Green Paper does make special provision for remote and underpopulated areas. It states that:

> Where the population base of a region is insufficient to support the establishment of an independent higher education institution, it is necessary to look to alternative arrangements. The establishment of institutions with elements of both TAFE and higher education can only boost enrolments to acceptable levels and provide more effective educational savings at the regional level.

This is our opportunity to create such an institution, one that will attract federal funding and support to become a part of a unified system receiving national accreditation and international recognition. This can only provide Territorians with an accessible institution which provides high-quality education.

I do not enjoy discussing the issue of consultation in the Northern Territory. Standing in stark contrast to the federal government's actions, we have the Northern Territory government's actions to date. While the federal government has undertaken consultations right around Australia, has consulted with universities and CAEs and with various governments, the actions of the Northern Territory government offer a complete contrast. It has done nothing but stifle and stamp on debate wherever it has occurred. We have seen the amazing situation where the minister told educationalists, faculty members and students in the advanced education sector to keep quiet. The minister's arrogance is breathtaking. A collection of people who know what they are talking about, who want the best for Territory students and who have in-depth experience of the existing tertiary situation have been reprimanded and silenced by the minister.

On the other hand, I have taken the opportunity to talk to the faculty and staff at the University College and at the Darwin Institute of Technology, both collectively and and individually. I have been listening to their diverse views and I have been impressed by their determination to ensure that the best deal is arrived at to give Territorians a tertiary sector of the high quality they deserve.

Mr SPEAKER: Order! I just interrupt the honourable member to give the final scores in the football match in South Australia. The Northern

Territory, 19 goals 20, 134, defeated Tasmania 10 goals 8, 68: a 66-point victory. I will give the member for Stuart a little extra time.

Mr EDE: Mr Speaker, I hope that you will also let me diverge from the subject of the debate, if not quite as far as that.

Mr Speaker, I now wish to put before this House a model which the opposition believes can serve as the basis for the future higher education needs of the Northern Territory. We believe that legislation has to be in place to set up a multi-level, multi-campus, multi-purpose institution to be known as the University of the Northern Territory. We believe that this institution must incorporate not just the University College of the Northern Territory and the advanced education segments of the Darwin Institute of Technology, but the whole area of technical and further education. We are proposing a multi-campus facility which would incorporate not just the campuses currently occupied by the Darwin Institute of Technology and the University College of the Northern Territory but also the Alice Springs College of TAFE, known as ASCOT. We believe that the Katherine Rural College could also be incorporated into the University of the Northern Territory.

It is essential that the Northern Territory develop an institution which fits our requirements. We need a highly-skilled work force which is able to take advantage of the potential that the Northern Territory has to offer. We reject utterly the narrow, small-minded approach which would gut the Darwin Institute of Technology of its tertiary section and return the balance of the college to the control of the Department of Education where it will wither as a poor cousin of the primary and secondary systems. We reject the notion that concepts of universities which were applicable in the 18th and 19th centuries are applicable in the Northern Territory in the latter days of the 20th century.

The Darwin Institute of Technology, which combines a college of advanced education with a TAFE college, has been able to demonstrate the very real benefits that come from amalgamating these 2 sectors. One only has to look at the success of the Desert Rose as an example that all Territorians can be proud of. That solar car was a combined effort between the advanced education ...

Mr COULTER: A point of order, Mr Speaker! We are now half way through the Deputy Leader of the Opposition's paper. We have listened to him for some 15 minutes but still he has not addressed the motion before this Assembly. The motion draws to the attention of the government the lack of broad consultation on the issue of the future of advanced education in the Territory, notes the confusion and concern that exists because of that lack, and requests the minister for Education to immediately remedy the situation.

Mr Speaker, for 15 minutes we have sat here and heard about the Green Paper and how well the Desert Rose did. We recognise that on this side of the House, but we are here to discuss the motion that is before this Assembly.

Mr EDE: Mr Speaker, I am quite amazed. Time after time, the minister berates me for not being constructive and not putting plans forward. I have spoken about the direct contrast between the federal government's approach to consultation on the Green Paper and the Northern Territory government's lack of consultation. I have spoken of the consultation that I am undertaking and I am speaking about the results of that consultation. I am quite disturbed that this government is obviously not interested in the future and is not interested in listening to what we have to say regarding the future of advanced education. That is the issue, Mr Speaker.

Mr HARRIS: Mr Speaker, in speaking to the point of order, I can say that I will be quite happy, together with other members of the government, to debate the issue of the Green Paper on the appropriate occasion. The government is quite happy to debate the options that are available to ensure that we do not miss out in relation to higher education and its funding in the Northern Territory. However, we have a motion before us. That motion is critical of the government in relation to its so-called lack of consultation, some alleged confusion and what the minister intends to do about it. We believe that we can refute the opposition's claims, which are the subject of this debate. If the opposition wants to talk about the Green Paper and higher education, we can do that on an appropriate occasion. However, the Deputy Leader of the Opposition should be addressing the motion before the House.

Mr Ede: I am finished with the Green Paper.

Mr SPEAKER: Order! The honourable member has had a fair amount of latitude in terms of the motion before the House. I would ask him to link his remarks more closely to the motion.

Mr EDE: Mr Speaker, the government is not interested in hearing what we have to say on this particular issue. I can understand the confusion and concern that exists out there amongst the academics and the student body. I share that confusion and concern. The fact that TAFE has been part of the DIT is at the heart of their confusion and concern, because they have heard of a proposal to tear apart the Darwin Institute of Technology and to put part of it into the University College and part of it under the control of the Department of Education. The fact that TAFE is part of the DIT is what allowed the Desert Rose to be such a success and that is why I referred to it. Its success was a culmination of the successful integration of TAFE and advanced education in that institution.

We want to build upon that success. We want to build upon it by merging the University College and the DIT as part of a new University of the Northern Territory. We are not simply stopping there. Even on the figures provided by the University College, it is very difficult to see how any of the benefits in the funding provided to that institution flow on to the rest of the Territory outside Darwin. On the University College's figures, only 20-odd students among this year's 400-odd enrolments came from the Territory outside Darwin. It could justifiably be called the University of Darwin. We envisage the Alice Springs College of TAFE becoming a further campus of the University of the Northern Territory. We believe that that college, while continuing with its range of trades-based courses, can expand to provide university courses with tutorial facilities for residents of central Australia. We see no reason why the proposed University of the Northern Territory could not use distance education techniques to allow for people in urban centres throughout the Northern Territory to complete all or a significant part of their degrees, diplomas or associate diplomas without leaving their home towns.

On this side of the House, we contrast our own actions with those of the Northern Territory government and we request that the Minister for Education remedy the situation. The first way he can remedy the situation is by closing his mouth and listening when we put forward some positive plans for the future of education in the Northern Territory. He is always accusing us of knocking and making carping criticisms but, when we put a positive plan before him, he will not listen. All he wants to do is knock, knock, knock. He is good at it. He is a natural for opposition and we might put him there soon.

There have been only 2 arguments that I have ever raised against the idea of keeping the whole of the TAFE area within the university. The first is that it is not normally done elsewhere. I reject the notion that we have to follow other universities slavishly. We are working towards a model that will fit our needs in the Territory and, coincidentally, that model fits perfectly into the terms of the Green Paper. The second argument is that the inclusion of people undertaking trades-based courses will somehow devalue the university overall and will somehow stop us from attracting the best academic staff and producing students or graduates with high-quality degrees and diplomas.

I am proposing that negotiations commence immediately with a view to linking into the University of the Northern Territory, the Menzies School of Health Research, the Arid Zone Research Institute, the North Australia Research Unit and aspects of the research currently being carried out through the CSIRO. These centres of excellence should be linked very closely to the university. However, they will not come running when we hang out the shingle. It will take extensive and sensitive negotiation to bring them in, but it would provide very substantial benefits.

In the Northern Territory, we possess advantages and disadvantages because of our geographic and climatic conditions. If we turn our disadvantages into advantages, we have the ability to be in the forefront of research worldwide into the tropical, sub-tropical and arid zones.

Mr Perron: Tell the federal government that.

Mr EDE: Mr Speaker, I intend to tell the federal government; that is why I am meeting with Mr Dawkins. That is why I am telling you before I tell Mr Dawkins.

Throughout the world, hundreds and hundreds of millions of people live in the zones that I have described, many of them in abject poverty. By focusing our research on those areas and developing techniques and solutions for making those areas productive, we can become world leaders. The Northern Territory is ideally located to be a centre for this research. If we take advantage of our situation and coordinate that research within our university, we will find ourselves flooded with applications to study, to teach and to undertake research in the Northern Territory.

With research of that standard being carried out through a University of the Northern Territory, we will attract the very highest standard of academic staff. We will be able to show students that they can link into the development thrust in the Northern Territory. That will ensure that the university maintains the very highest standards.

When we come to draft the legislation to put the University of the Northern Territory into place, it will be essential that we ensure that there is an equitable distribution of resources between the various sectors, forces and locations. That is where a great deal of consultation will be required because, if the minister does not engage in consultation on the development of that legislation, he will create a problem which will haunt him for the rest of his days. It may be that there will be a school of trades within the total university framework, thus ensuring that the technical aspects do not end up being given a smaller than necessary share of the resources allocated.

Mr Speaker, with your indulgence, I would like to turn to Batchelor College because there has been considerable discussion on how it would link into our plan for advanced education. I wish to speak for a few minutes on

this subject because we have developed a proposal which, we believe, will place the Northern Territory well ahead of the rest of Australia in terms of higher education for Aboriginal people. We are proposing that Batchelor College become an advanced education institution catering for tribally-oriented people and Aboriginal people from urban areas who wish to work in Aboriginal communities, with the extended aim of providing support for those Aboriginal people who wish to reach across into mainstream academic achievement.

Batchelor College has suffered from underfunding and uncertainty for too many years. We wish to expand the functions of Batchelor College so that it takes the Health Worker Training Scheme to an appropriate diploma level thus ensuring that Aboriginal people can receive a level of training which will enable them to take over the management, control and operation of clinics on Aboriginal communities and of urban Aboriginal health services.

The teacher-training program at Batchelor is well known and needs no further discussion at this point except to say that adequate levels of funding would enable substantial expansion of the program. We have assumed the continuation of per capita levels of Northern Territory funding for that course. If we were able to get CAE funding on the same per capita basis as other CAEs around Australia, linked that with the funding currently provided by the Northern Territory and then added ATI funding ...

Mr Manzie: Why can't we have the same funding as other Australians?

Mr EDE: Mr Speaker, I am rather disgusted with the Attorney-General because I thought he agreed with this.

With ATI funding, we would be able to cover the incremental cost of the distance education techniques that have been developed in that institution. We believe also that the whole area of community management should be developed through Batchelor.

We see Batchelor College as a multi-campus college with annexes - or remote campuses, if you like - in Katherine, Tennant Creek, Alice Springs and so on. We see the Aboriginal Task Force, now located at DIT, becoming an annexe at Batchelor. It would provide the same functions as the Alice Springs annexe, but would also act as a support base for those Aboriginal people doing courses through the University of the Northern Territory, providing them with support and assistance.

We do not see Batchelor College as catering solely for Aboriginal people of the Northern Territory. I will be continuing my discussions with the Ministers for Education from South Australia and Western Australia with a view to having Batchelor recognised as a resource for Aboriginal people throughout Australia so that it becomes a truly national college promoting the educational advancement of Aboriginal people. It is an exciting concept and one which I would hope will receive support from all members of this House.

Those are views that I will be taking to Mr Dawkins in Adelaide. They are views that I will be discussing with my colleagues, the Labor ministers and shadow ministers for education right around Australia. They are views that I will be circulating to interested people in the Northern Territory because I am sure that all Territorians, who have thought through the requirements of the Northern Territory, will accept them as being rational, practical and in line with our stated aim of high-quality higher education that is accessible to all.

We have only one chance to make a real impact and we need to do that this year by calling upon the federal government to assist us in developing an academically and economically sound tertiary system. We must get it right. We cannot afford to keep quiet and rely on the honourable minister who, although he has not yet made statements as inane and gross in this field as did his predecessor, has told people that they should keep quiet and not enter the debate. I want to make him realise that we must get the plan right at the start because we have a major problem ahead of us: the negotiations between the staff of the 2 institutions. It will be essential that those negotiations are undertaken sensitively and that time is spent to bring the groups together to discuss how the staff of a university faculty, with their specific terms and conditions, can work alongside the staff of a college of advanced education faculty, with their specific terms and conditions of employment, and become melded so that they are able to work in harmony.

Mr Speaker, for the reasons which I have outlined, I will be going to Adelaide to talk with Mr Dawkins in order to ensure that the interests of the Northern Territory are honestly conveyed and provided for.

Mr COULTER (Treasurer): Mr Speaker, if the opposition spokesman on education is really fair dinkum about wanting to promote advanced education in the Northern Territory, there is only one option available to him and I ask him to take it up. Could he please stay at home and not speak to Mr Dawkins? What we have heard today is a diatribe that has been written for him. It has nothing to do with the motion. Not once did he address the motion. He was not even smart enough to frame a motion which would allow him the opportunity of addressing this Assembly on the subject of the possibilities for amalgamating institutions of higher education in the Northern Territory. He could have done that and we would have been only too happy to debate it. I am sure it would have been a worthwhile debate and the Legislative Assembly is the poorer for not having had the opportunity to discuss it today.

However, let us turn to the confusion and concern which the Deputy Leader of the Opposition is very good at creating. This morning, he asked me 2 questions regarding advanced education. That is how confusion and concern is generated: by the manner in which he asks questions in this Assembly. I cannot forgive him for the second question in which he asked whether the Secretary of the Department of Education actually went out to the Darwin Institute of Technology yesterday and told the people there that a decision had been made to abolish the institute and its upper-level courses. That is how confusion is spread. People like the Deputy Leader of the Opposition come in here with sheer fabrications, stories which cannot be sourced. They stand on the floor of this Assembly and proudly deliver these fabrications.

Mr Speaker, I challenge the Deputy Leader of the Opposition to stand outside this House, beyond the protection of parliamentary privilege, to allow the Secretary of the Department of Education the opportunity to gain the funds for a swimming pool by suing him in the courts.

The secretary of the department did not visit DIT yesterday. Actually, he spoke to 3 people. The Leader of the Opposition is well-versed ...

Mr Smith: I didn't go to the DIT yesterday either. Do I get a swimming pool?

Mr COULTER: The Leader of the Opposition might like to hear just what his deputy did say: 'upper-level courses were to be incorporated into the University College and that the balance of courses were to be returned to the

Department of Education. I ask the minister whether he will investigate whether that is true and whether he will report back to the Assembly on the matter?'

Mr Speaker, the secretary of the department spoke to 3 people yesterday at the ...

Mr Ede: Who were they?

Mr COULTER: I will tell you. Just stay tuned.

Mr Smith: Turn the volume up to make it easier.

Mr COULTER: I know it is difficult for you people to hear me.

He spoke to Mrs Giese and he asked her to join the Higher Education Planning Group. He advised her that the minister had agreed to increase the DIT council membership on the planning group from 2 to 3. He spoke to Mr Davis, agreeing that the government's option paper could be distributed to the DIT council meeting, which is under way now. We are talking about consulting people and I will speak about that in more detail in a minute. He also spoke to Mr James, the President of the College Academic Union. He rang to ask whether the College Academic Union could make representation to and meet with the Higher Education Planning Group.

They were the only 3 people that the secretary of the department spoke to yesterday and, as you can see, they were all very constructive telephone calls and it shows the lengths to which the Secretary of the Department of Education is prepared to go in terms of consultation, which is the first issue ...

Mr Smith: Consulting by telephone?

Mr COULTER: Just take it easy, will you.

Mr Smith: Most people consult face to face.

Mr COULTER: Oh, is that right? Who would want to consult with you face to face?

Mr Speaker, the issue of consulting will be further dealt with in a minute.

Whilst talking about confusion, I will go back to the first question that the Deputy Leader of the Opposition and shadow spokesman on education asked in this Assembly today. He asked whether or not I 'would confirm whether Cabinet made a decision in the last few days to abolish the Darwin Institute of Technology, amalgamating the upper-level courses in the University College and incorporating the balance, including all Technical and Further Education courses, into the Department of Education'. He went on to ask: 'Is it true that the Higher Education Planning Group, which will now have to implement that decision, contains no representatives of the faculty associations or student bodies?'

Is it any wonder that confusion reigns supreme out there when the alternative government's spokesman runs around spreading that sort of nonsense? It is a game that this side of the House will not enter into and I again challenge the Deputy Leader of the Opposition to step outside the protection of parliamentary privilege and repeat his accusation about what the Secretary of the Department of Education did or did not do.

Mr Smith: It would not be worth a swimming pool.

Mr COULTER: It might be, you never know: a small one.

The alleged lack of broad consultation illustrates the opposition spokesman's lack of understanding of his shadow portfolio responsibilities. Obviously, he has not been in the job long enough. The Commonwealth Green Paper was first released on 9 December. Its topic is higher education, not what the Deputy Leader of the Opposition refers to in his motion as 'the future of advanced education'. He cannot get it right. He cannot write either, and I will tell him the difference between those 2 words a little later on.

The public consultation period runs until the end of April. The opposition spokesman on education may not be aware that the tertiary institutions were on their mid-summer vacation for much of December and January and the councils of the institutions had their first meetings scheduled for late February and early March.

Mr Speaker, I am quite prepared to declare the author of some of this material if the Deputy Leader of the Opposition will tell us who wrote his, and I think I know.

Mr Speaker, on 19 January, the executive officers of the 3 centres of tertiary education, who comprise the Tertiary Education Council, were invited to the NTTEC meeting on 28 January to develop a briefing for the Minister for Education prior to his attendance at the special meeting of the Australian Education Council. This meeting was called for 19 February to discuss the Commonwealth Green Paper. At the 28 January meeting of the NTTEC, it was also proposed that the NT Branch of the Australian College of Education be requested to hold a symposium to encourage widespread discussions on the issues. Speakers from within the Northern Territory and interstate have been invited to participate. The symposium, which has been widely publicised, will take place at the Sheraton Hotel on Saturday 5 March.

The shadow education spokesman's accusation of government inaction is ridiculous. It was not until 19 February that the Commonwealth minister first presented the Commonwealth's own firm timetable for consultation in 1988, and sought agreement from state and Territory ministers for both the broad thrust of the Green Paper and a timetable to implement its proposals. Following general endorsement of the Green Paper's direction by state and NT ministers and immediately following the 19 February meeting, the Northern Territory government acted to develop a situation analysis and broad options for the purpose of consultation on the effects of the Green Paper on the Northern Territory. These were presented to Cabinet on 26 February, just 1 week later, and were released on Saturday 27 February for public comment.

Mr Ede: Where were they released?

Mr COULTER: Letters have been sent to councils of all institutions formally seeking their comment on the situation analysis and options.

Mr Speaker, 2 processes will occur over the next 2 months. The first, which is well advanced, is a formal Northern Territory response, in broad policy terms, to the wide range of issues canvassed in the Green Paper, without touching specifically on the future directions of the Northern Territory itself. I expect to receive consolidated NTTEC advice on this by 18 March, following advice to the NTTEC from the 3 sectorial councils, UCNT, DIT and TAFEAC.

The second process, which has already been announced, is the setting up of a Higher Education Planning Group to prepare advice to the minister, after consulting with the councils of the relevant institutions, on the future directions for higher education in the Northern Territory. Contact has already been made with the 2 staff groups, the FAUSA and the UACA, and an agreement made for the Higher Education Planning Group to meet with their representatives.

Contrary to the implications of this motion, the government has acted with exemplary speed to facilitate the consultation process, and our timetable is in line with those of the states. The minister has kept the federal minister aware of developments here, and has opened up lines of communication for further consultation. I am able to indicate that the Northern Territory government has advised the Commonwealth minister of its acceptance, in principle, of the following broad thrusts of the Green Paper. It strongly supports the need for growth in enrolment and graduates and is conscious of the need for a higher education system to operate in the most efficient manner possible and of the need for adequate arrangements to ensure the quality of teaching and research.

The government has produced a situation analysis and an option paper which spells out, for discussion, some important principles for planning for the future and conducting negotiations with the Commonwealth from a Northern Territory point of view. My colleague has publicly commended the Commonwealth on its commonsense approach to freeing up institutional management, for tackling some complex and difficult staffing issues and for its initiative on the common academic year. My colleague has also sought clarification from Mr Dawkins on amalgamation and consolidation matters and he has agreed to reconsider the Northern Territory situation in the context of the Green Paper. Information is now being provided at officer level to facilitate those discussions. The minister has indicated the Northern Territory's support for many of the innovative ideas in the Green Paper, such as the sharing of staff and facilities between institutions.

While we see that the consolidation of institutions is sensible in the large urban centres of the south, we do have reservations about consolidating too early in the Northern Territory. Bearing in mind the rapid growth of the Northern Territory, student places will be required both to keep pace with current demand and to provide the spread of options for Territorians which students in the south of Australia enjoy. However, the government recognises that a range of options needs to be canvassed in discussions with the Commonwealth. Hence the broad options presented for discussion. We will make a special plea for the Northern Territory to be considered as a national centre for external studies because we are ideally situated to play a key role in that area for northern and central Australia. As the acting minister, I have already written to the federal minister nominating the Northern Territory team to meet with Commonwealth officers for preliminary discussions in April and May.

In summary, 2 processes will occur over the next 21 months. One is the formal Northern Territory response, in broad policy terms, to the wide range of issues canvassed in the Green Paper, but without touching on future directions for the Northern Territory itself. The second process, which has already been announced, is the setting up of a Higher Education Planning Group to prepare advice to the minister for his discussions with the Commonwealth minister after consultation with the councils of institutions.

Contrary to the intent of this motion, the House should note that the government has acted with exemplary speed to facilitate the consultation process. Any confusion has been caused largely by the Deputy Leader of the Opposition who is the opposition spokesman on education, and nobody else. I have clearly described the consultative process that has been put in place. I spoke about some examples of the confusion created by the opposition spokesman on education. Hansard contains the evidence of his attitude in the standard and quality of the questions that he asked in this Assembly this morning and in the fabrications they contained. His involvement in such activities does him no credit at all, no matter who is handing him the bullets to fire in this Assembly.

I spoke in the previous debate about the Northern Territory Teachers Federation and the invidious position in which the Northern Territory Branch of the Australian Labor Party finds itself. It has to respond to its masters in the trade unions and come into this Assembly ...

Mr SMITH: A point of order, Mr Deputy Speaker! I only raise this because of the points of order called during my colleague's speech ...

Mr Coulter: He did not address the motion!

Mr SMITH: What were you doing just then?

Mr Deputy Speaker, my point of order is that, to use a colloquial expression, the minister is not within a bull's roar of discussing the motion which, quite clearly, talks about consultation, confusion and concern and asks the Minister for Education to remedy the situation. How comments about the Teachers Federation and the trade union movement and its supposed influence on the Australian Labor Party are relevant to that, I do not know.

Mr DEPUTY SPEAKER: I will ask the minister to confine his remarks to the motion.

Mr COULTER: Mr Deputy Speaker, one of the crucial issues underlying all this is a name. That will be one of the crucial issues, I suspect. I will give the opposition spokesman on education an example. I can remember when the Darwin Community College set up office in Alice Springs in what was called the Darwin Community College Alice Springs Annexe. Some honourable members will remember that name. It was like a red rag to a bull in Alice Springs, as parochial as it is, to have an institution with that name in town. The battle raged for a number of years. I was an employee of the college and was a member of the governing council at the time and the matter was eventually resolved. I do not claim any credit for that, but I am aware of people's sensitivity about titles. Names of institutions of education are particular examples and they have to be widely accepted.

I am sure that this issue will boil down to a debate between titles like university, university of technology, school of advanced education, TAFE centre, and so on. The Deputy Leader of the Opposition was quite correct when he talked about the opportunities that are available here in the Northern Territory. I certainly hope that we do not get bogged down on this issue, with councils, halls of Academe, students and everybody else getting hung up about a name. That is what I believe it will come down to in some instances.

We have the opportunity to provide a model for the rest of Australia, as we have done so many times before. The opposition told us that we could not have a university. It said nobody would go to it, that it would have no

credibility and that its awards would not be recognised. That is all recorded in Hansard and, if I had taken the time, I could have quoted many examples. I see the opposition spokesman on education is reading Footrot Flats.

Mr Ede: It is much more interesting than you are.

Mr COULTER: Mr Deputy Speaker, I know that it is very pictorial in content and he should have no difficulty reading it. It appeared to me, at first glance, that he had it upside down.

Mr Ede: I was trying to let you read it.

Mr COULTER: Some prominence has been given to the use of the term 'University of Technology'. The concept of a university of technology is a relatively narrowly-based institution offering a high degree of specialisation in technology and vocationally-oriented courses through all 3 levels: university, advanced education and TAFE. For example, 2 institutions which currently offer advanced education and TAFE, the Swinburne Institute of Technology and the Royal Melbourne Institute of Technology, are either considering or have made the change to this new title. The current Darwin Institute of Technology profile has some similarities with these institutions although they are very much larger in higher education enrolments. For example, in 1986 the Royal Melbourne Institute of Technology had 8705 students and Swinburne had 4306, whilst DIT had 939.

Mr Deputy Speaker, I will not dwell on the subject of titles for too long but, from past experience, I can say that it will become an issue and I sincerely hope that we do not get bogged down by it. As I said, we have enormous opportunities in the field of education. Those opportunities are not helped by the standard and quality of questions that were asked in this Assembly this morning. They could best be described as shameful and a fabrication.

I am concerned that the Deputy Leader of the Opposition, the shadow spokesman on education, is to travel to talk to Mr Dawkins as a representative of the Northern Territory and to put to him his views on higher education and advanced education in the Northern Territory. He spoke here for 30 minutes on a motion before the House and did not once address any of the issues contained in it. This is the opposition's second motion on its general business day. They have both related to education issues and members of the opposition have not provided this Assembly with one skerrick of information to support them.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, I am a great fan of a mystery writer called Eric Ambler. He is one of the outstanding 20th century practitioners of that art. I have just finished reading a book by him called 'Dr Frigo'. Dr Frigo is a prominent South American politician in exile who, unfortunately, suffers from a disease ...

Mr PERRON: A point of order, Mr Deputy Speaker! I fail to see what the bedtime reading of the Leader of the Opposition has to do with the debate before the House.

Mr SMITH: Mr Deputy Speaker, if he is patient, he will.

Mr DEPUTY SPEAKER: There is a point of order. I would ask the Leader of the Opposition to relate his comments to the motion.

Mr SMITH: This prominent politician suffers from a disease which, after he has spoken for 17 minutes, causes him to slur his words and shake. The problem with the Treasurer is that he is similarly afflicted. After 5 minutes, he stops making sense.

Mr Deputy Speaker, I want to read again the question asked of the minister by the Deputy Leader of the Opposition this morning. 'Would he confirm that Cabinet made a decision in the last few days to abolish the Darwin Institute of Technology, amalgamating the upper level courses into the University College and incorporating the balance, including all Technical and Further Education courses, into the Department of Education, and is it true that the Higher Education Planning Group, which will now have to implement that decision, contains no representatives of the faculty associations or student bodies?'

If anyone needs evidence of the confusion and concern that exists in the community, that question asked by my colleague demonstrates it.

Mr Manzie: He made it up.

Mr SMITH: He did not make it up. The concerns put to us did not arise in the mind of the member for Stuart. They came from a highly-placed person at the Darwin Institute of Technology. That highly-placed person obviously got it wrong. But that is the point. There is so little information available on this topic at the Darwin Institute of Technology - not to the lecturing staff, not to the students but to a very highly placed person - that people are sufficiently concerned that they make contact with the opposition and ask the opposition to ask a question in order to clarify the matter. That is where the confusion and the uncertainty lies. My colleague's question is the best possible demonstration that there is confusion and concern in the academic community in the Northern Territory about what this government is up to.

Mr Deputy Speaker, if you want more evidence of the confusion and concern in the academic community, my colleague has had the initiative to hold 2 public meetings, one at the University College of the Northern Territory and one at the Darwin Institute of Technology. At the first meeting at the University College, there was standing room only. There were 60 plus people who were sufficiently interested and concerned to attend his meeting. At the Darwin Institute of Technology meeting, more than 70 people attended - another full house. Those people did not attend those meeting because they admire the brain of the honourable member or because they think he is handsome. They attended because he has tapped a real vein of concern among those people in relation to the future of higher education in Australia. All tribute should be paid to the honourable member that he is prepared to consult with people at public meetings so that, when he talks to the federal Minister for Education on Friday, he will know what the broad range of thinking is within the academic community in the Northern Territory.

Compare that to the record of this government. It muzzles any institution that dares to put sufficient work into establishing a position of its own on this particular matter. It has muzzled the Darwin Institute of Technology and, in doing so, has made a complete and absolute mockery of the Darwin Institute of Technology legislation which says that it is an independent, freestanding body. It has been muzzled, Mr Deputy Speaker, on this very important issue. Similarly, the University College has been muzzled and is unable to express a public opinion, as have other advanced education institutions in the Northern Territory such as Batchelor College.

I would have thought that one of the things that the University College and, in particular, the Darwin Institute of Technology ought to be doing in this community is providing some academic leadership by opening up debate. Yet, on very important issues concerning their own future, they are not allowed to provide a public input. If that is not a disgrace, if that is not the opposite of what academic institutions are all about and if that is not doing a disservice to the people of the Northern Territory, I do not know what is.

One of the primary purposes of academic institutions like the University College of the Northern Territory is to further debate on important issues. They do it through research and through lectures and seminars on a whole range of issues. However, on the issue that affects themselves and on the issue that will affect the whole range of educational opportunities for our kids, they are muzzled.

Why is the University College of the Northern Territory prevented by this government from putting forward a public position paper for comment by the people of the Northern Territory? Equally, why is the Darwin Institute of Technology, which has 7000 students, similarly muzzled and told that it cannot put forward a public position paper? Why is Batchelor College, which is probably Australia's most successful Aboriginal training college and which has people from Aboriginal communities all over the Northern Territory and Western Australia, unable to put forward a public position paper on the Green Paper so that it can be discussed out in the Aboriginal communities where these people come from and to which, hopefully, they return.

What is wrong with this government that it is so afraid of people in the higher education sector that it is not prepared to allow them to put forward their point of view? I do not deny that, in the end, it is the government that has to state its position and it is the government that will negotiate with John Dawkins. However, there should be free and healthy debate and the institutions that are involved should have the opportunity to issue position papers so that the public has a range of views, not simply the government's view, and so that the public has an opportunity to make an input. We have a government that does not want people's input on policy in this area. Its own policy development is carried out in the dark so that people cannot get a peek at it and do not have the opportunity to make an input. That is why there is confusion and concern in the community in general, particularly in the academic community. We did not invent this confusion and concern; it is out there. Through the efforts of the member for Stuart, we tapped into that confusion and concern and we are giving it expression in this forum. We are giving it form. Of course, we are trying to exploit what is happening out there because it is of serious concern. We will exploit that concern in the interests of the people out there so that, at least, they have a voice inside this parliament. It is quite clear that their voice will not be heard through the members opposite.

We have before us a motion that quite clearly addresses the concerns of people in the community about the Green Paper and the government's failure to set in place proper procedures that will enable a full discussion of the issues involved. I will go through the points: 'draws to the attention of the government the lack of broad consultations on the issue of the future of advanced education in the Territory'. Nothing that the acting minister has said has indicated that there is any program for broad consultation. We have seen the establishment of a Higher Education Planning Group which, I understand, is a small group of very select individuals which does not have proper representation from TAFE or the unions involved in the teaching

institutions and which has very little, if any, representation from the working staff in those institutions. The government is attempting to claim credit from the Australian College of Education which has taken the initiative to set up a 1-day meeting. I congratulate the Australian College of Education on its initiative but it is a bit rough of the government to try to make it an arm of government for this particular exercise and to take the credit for it.

The problem is that the government has not put a program of broad consultation in place. The people who work and study in those institutions are justifiably concerned about what propositions this government will put forward. The government has not put in place a mechanism that will allow those people to express their point of view for consideration before the government makes up its mind. There really is a basic choice in such situations: you work from the top down or you work from the bottom up. Once again, the government has decided that it will work from the top down. The minister issued 3 options and said that 1 of the 3 would be chosen.

The alternative would be to work from the bottom up, which was what the Darwin Institute of Technology Council did. It carefully drafted a position paper. Many people at the institute and the University College disagreed with it, but at least it was a carefully thought out paper from its perspective. It would have been very beneficial if the government had extended a courtesy to the Darwin Institute of Technology and the University College and said: 'There is the Green Paper. We have sufficient confidence in your intelligence and your regard for the future of the Northern Territory and we will encourage you to put out public position papers so that we can generate reaction from the community'. But that is too democratic for the crowd opposite. They have the minister, with his equivalent of the purple circle, put together an option paper which contains 3 options, none of which may necessarily be suitable to any particular group in the community.

The second point is the confusion and concern that exists because of the lack of broad consultation. I can do no more than go back to the member for Stuart's question. That question would never have been raised if there were no confusion and concern at the Darwin Institute of Technology. To give him his due, the acting minister cleared up some of that confusion and concern in his answer. He should now react positively. He should instruct the relevant group to introduce a consultative process that will enable everybody at the Darwin Institute of Technology who wants to express a point of view to do so. If he does that, if he lets people out there feel that they are involved in the decisions, have a role to play in making the decisions and have an opportunity to make an input into the decisions, he will starve us of information. We will not be able to ask questions of this kind any more, because people will not be contacting us and asking us to put questions.

Mr Hatton: Yes, they will.

Mr SMITH: They will not, because they will be involved in the process, and that is what it is all about.

Mr Manzie: Were they involved in the DIT proposal that was put forward? Did they involve the unions and the staff?

Mr SMITH: My word they did. That is what it is all about, Mr Deputy Speaker.

And the third part of the motion: 'requests the Minister for Education immediately to remedy the situation'. Mr Deputy Speaker, the government is

faced with a choice, isn't it? This year, I have never seen so much unrest on the education front. The school council regulations are creating a mess. There are huge levels of unrest in the DIT and the University College over this particular proposal. The government has a basic choice. Either it can allow that unrest, that confusion and concern, to ferment, by continuing its present course of not consulting or it can be positive - and it still has the time to make the change - and go out and consult with people and make them feel that they are involved in the decision-making process.

To conclude, Mr Deputy Speaker, let us not underestimate the importance of this decision-making process. We have 1988 to get it right because, if we don't get it right in 1988, we will miss the triennial funding for the 3 years following and, more importantly, if we don't get it right this year it is very unlikely that we will ever get it right because of the opportunity we will have missed following the delivery of the John Dawkins Green Paper.

Probably, John Dawkins will go down in Australian political history as one of the best education ministers that we have had because he has been prepared to take the system and shake it by the neck. It is instructive to study how he has gone about it. He has made sure that there is plenty of time for everyone concerned to be consulted in the process. That is the bottom line. That is all that people out there want. They want the opportunity to be consulted in the processes too. We have raised this motion to bring forward those concerns so that the government is made aware, if it is not already aware, about the concerns that are out there, and can react to them.

With goodwill, the government can support this motion and show people that it recognises that there is an opportunity here for everybody who is concerned with higher education to be involved and make an input so that, when we get the final submission ready to go down to John Dawkins, it is the best possible submission the Northern Territory can put forward for the future of the education of our kids and their kids in the Northern Territory.

Mr HARRIS (Port Darwin): Mr Speaker, I am really concerned about the attitude of the Leader of the Opposition, particularly when he makes comments about lack of consultation. The comments that come out of his mouth in this Assembly are really amazing.

He spoke about the honourable minister in relation to unrest at the Darwin Institute of Technology. The Minister for Education answered a question on 23 February and the Leader of the Opposition was present in this House during the course of the answer. The minister did so because of speculation about a takeover that was proposed in the Sunday Territorian and who could forget the words it used: 'DIT to swallow Uni'. Students attending the University College and the Darwin Institute of Technology contacted the office of the Minister for Education's in relation to the issue, which is why the question was asked. I will read the first paragraph of the answer given by the minister:

> Mr Speaker, I thank the honourable member for Port Darwin for his question. I think that my comments this morning relating to public squabbling were directed at the people whom I expect to sit down rationally around a table to discuss matters as they, in fact, have already begun to do. I was attempting to say that this cannot be achieved through letters to the editor and disruptive activities circumventing the consultation process, such as reports falling off the backs of trucks or being wrapped in brown paper and changing hands in a bar. Mr Speaker, all I am saying is that people in

responsible positions should not be seen to be choking themselves to death in public. However, I support rational debate and any public discussion of these matters has my full support. The more of it, the better. I am happy to see it happen.

They are the issues of concern to this government.

The shadow spokesman on education asked a question this morning. Included in that sentence were the words, 'abolish the Darwin Institute of Technology'.

A Member: The question came from outside and they got it wrong!

Mr HARRIS: The question may well have come from someone outside and the opposition may have got it wrong, but isn't it to be expected that some people out there want us to get it wrong? That is the problem.

I have been through the exercise of looking at the issues of higher education, including the evolution of the Darwin Institute of Technology from the Darwin Community College and I know that people are trying either to maintain the status quo or to go back to the Hugh Hudson proposal, or the opposition's old proposal, of a 'lean-to university' which was the amalgamation of the 3 sectors at the Darwin Institute of Technology. Comment has been made about that proposal in many debates in this Assembly, and the reason we have queried it is not because of the standard or the quality of the courses that are being offered at the Darwin Institute of Technology but because of credibility and the need for degrees and certificates received here to be acceptable, not only in the Northern Territory but right throughout Australia and, indeed, internationally. That is very important.

It is not a simple matter of saying: 'There is the Green Paper. This is what the federal Minister for Education has said. This is what should happen'. It is not as simple as that. In fact, after the release of the paper on 9 December, all ministers were concerned about it - as academics from universities and other institutes were concerned - and the ministers came together to talk about it.

Mr Ede: I went down to Melbourne and talked about it myself.

Mr HARRIS: The whole issue is that the consultation process has just started.

Mr Ede: I talked about it in Melbourne in November.

Mr HARRIS: Mr Speaker, again the member for Stuart is starting to raise issues that he knows nothing about. The issue was raised in this Assembly in the adjournment debate, and I can remember raising it myself on 26 November. At that time, I mentioned that the Commonwealth was looking at the whole issue of higher education. I emphasised that we needed to take part in the debate and to make sure that what we obtained for people in the Northern Territory was the best, that we were not second-rate citizens and we did not want to be used for an experiment.

I am not saying that what the federal government is proposing is wrong, but these matters must be discussed rationally. It is not just a matter of saying, 'Hooray! Good idea, windows opening, terrific stuff, bang bang!' It is not as easy as that. It is a very complicated issue and I would have liked to have heard the ALP's policy statement on higher education. I would have loved to have heard the comments, because we want to hear. It is the first

time in this Assembly that I can recall that the issue of higher education has really been addressed by the ALP, by the opposition in this Assembly. It is the first time.

It has been of major concern for people in the Northern Territory that we do arrive at an acceptable level of higher education, both at university level and through the Institute of Technology degrees and certificate courses that are offered. We have also to make sure that the TAFE sector at the DIT is not seen as a poor relation. That is very important. They are issues that have to be addressed and talked about.

The opposition's motion is a nonsense. When I received it yesterday, I wrote on it: 'Terrible motion, put together in 10 seconds'. We heard the member for Stuart claim that he was drawing the attention of the government to the lack of broad consultation on the issue of future advanced education. We have been talking about the issue. There have been debates in this Assembly and I have also made personal comment on the issue of higher education. I will certainly be commenting on the papers that have been put forward for discussion in the community by the Minister for Education. I hope that members opposite will also take up that challenge and comment. We want the public to comment but it must be realised that particular interests are involved at the University College and the Darwin Institute of Technology. The academics and the students, their feelings and how they relate to each other, must be taken into account and we must talk about it together.

However, the opposition intends to speak to the federal minister on this issue and to put forward a view on the basis of 2 meetings which the member for Stuart has attended. He claims that he understands the views of the academics on this issue and that he knows the way we should go. What a terrible and irresponsible way to treat a matter of so much importance in this Assembly! It really is a shame and I am sorry that it has happened.

It is very important that we are not compromised in this matter because of economic circumstances. We have to make sure that we get the best deal for Territory people and that is what this government will do. We will make sure that there is consultation. We will make sure that people have the opportunity to comment in relation to this issue. We are not shoving our heads into the sand. We are going to be responsible and find out what people want.

Let me return to the opening remarks of the Acting Minister for Education. The federal minister's comments were released on 9 December and the public consultation period was to end in April. What a good time to release a document as important as the Green Paper, just prior to the semester break.

Mr Ede: So that people could take it home and study it.

Mr HARRIS: People were not together and you should know all about that. The truth is that it was not until 19 February that the Commonwealth got itself together and presented its own firm timetable as to what was to happen. Here we are talking about lack of consultation and lack of discussion, but the real debate has not started.

I welcome the opposition's comments on the Green Paper, but I wish it had picked a better time to make them. The matter could have been raised as a matter of public importance and we would have been happy to discuss it in those terms. Instead, we have this nonsensical motion about lack of consultation, confusion and requesting the minister to act urgently. The

consultation process has just begun. Options have been put forward by the government and those options will be discussed. Obviously, the Darwin Institute of Technology will comment, as will the University College. Many people will comment on this very important issue. That is how it should be. I would have thought the matter was so important that we would try to work together rather than having the Deputy Leader of the Opposition racing off to Canberra to approach the federal government with ideas he has gleaned from DIT, without considering the overall Northern Territory situation.

It was interesting to hear the member for Stuart, who has previously knocked us about bringing interstate students to the Territory, suggesting now that we should do it! What is he talking about? We have to make sure that all these issues are addressed in a fair manner. They are very important issues and we need to work together to make sure that we get the best for Territory people.

Mr Speaker, I close by referring to a paper that I put out entitled: 'Higher Education: A Question of Credibility'. I will read the closing paragraph:

> Compromise cannot and must not be considered when dealing with issues that relate to our rights as Territorians. We are not second-class citizens and it is our right to have access to acceptable university-level courses here in the Northern Territory. We must ensure that we are able to maintain the availability of places to match the demand. We must ensure that we can develop the types of courses the Territory needs and we must ensure that our University College is able to progress towards becoming a first-class university of international standard. We must not allow our university to develop into a second-class regional institution.

Mr Speaker, it is very important that the issues are discussed. I do not have any concern about the proposal that 3 levels be amalgamated but for me the bottom line is credibility and acceptability. The basis of that is the relationship with Queensland University and its standing in the Northern Territory. The motion before us is an absolute nonsense. The government has consulted and will continue to consult. I condemn the opposition for the way in which it has carried out this exercise.

Mr EDE (Stuart): Mr Speaker, I was rather disappointed in that last remark from the member for Port Darwin. Clearly, he has no faith whatsoever in the credibility, skills or standing of the people that we can attract to our university here in the Northern Territory. He believes that we must continue to use the Queensland University as a milch cow, and remain attached to it for ever and a day. It is essential that people who have commenced degree courses through the University of Queensland continue those courses through the University of Queensland. It may well be that we will utilise an institution like the University of Queensland or the Australian National University to help us in our formative years. It may not be necessary for them to provide the full gamut of assistance, as Queensland University now does, in terms of actual teaching and course content.

We need to ensure that our tertiary education program is relevant to the Northern Territory. We must have courses and degrees which are relevant. It is possible that we might utilise an interstate university as a monitor to guarantee skills and standards, to guarantee the credibility of our degrees. I hope, however, that that would occur only in the short to intermediate term. I believe that the possibilities for research in many specialist fields

relating to the Northern Territory would attract academics of a standard that would be seen to rank with the best in Australia. The James Cook University in Townsville, through its marine biology program and its research on the Barrier Reef, offers an example of how an institution can quickly gain recognition as a centre of excellence in a particular field.

The Northern Territory could achieve that. We could develop centres of excellence related to particular research areas. These would be of particular relevance to the Northern Territory such as the horticultural and agricultural industries, arid zone technology and so forth. We have all seen pictures of places like Somaliland and Abyssinia, semi-arid zones throughout the world where hundreds of millions of people live in abject poverty. We are one of the very few places in the first world that duplicate those climatic conditions and we can use skills which are particularly relevant to them. The Arid Zone Research Institute has already done some quite good work in terms of different types of machinery that can be used in the arid zone. I refer to the work of Mr Baek. Unfortunately, he was unable to continue further development work on the project. However, if we develop specialised fields of research, we will attract academics of the highest quality and that will ensure that our university will have the standing that we want it to have.

The member for Port Darwin stated that I had attended only 2 meetings. Mr Speaker, I attended 2 public meetings, 1 at DIT and 1 at the University College. I had many more meetings with various groups including academics and people associated with the university. I also met with individuals to check various points and discuss matters further.

Mr Perron: Maybe you would get more votes if you did not attend meetings.

Mr EDE: Mr Speaker, I cannot understand the Minister for Industries and Development. I would have thought that he would have been a supporter of the model that we have put forward here. I would have thought that he would have agreed that that is what we need in order to be able to promote the Northern Territory.

I was disappointed in the contribution of the acting minister. He spent most of his speaking time talking about the name of the institution. Perhaps he is putting in a bid for it to be called the Coulter University of the Northern Territory. I thought that he might have gone into the issues in a little more depth than that. He challenged me for doing my duty. Let me tell him that I will continue to do my duty in bringing before this House the concerns of Northern Territorians.

Mr Speaker, let us look at the motion itself. It draws the attention of the government to the lack of broad consultation on the issue of the future of advanced education. That point was not disputed. No one on the other side of the House attempted to argue that the government had consulted broadly. If members opposite had tried to argue that, they would have made patent fools of themselves because everybody knows that they have not consulted. I have been advised - and if I am wrong, may heaven protect me - that there is no representation of the academic groups or of students on the Higher Education Planning Committee. It is essential to tie those 2 groups into the consultation process. The staff association has met in Melbourne during the last few days and compiled a list of guidelines on amalgamation and the various issues that should be addressed. I can provide the minister with a copy of that and I suggest that he study it because, if he gets the faculty associations involved at a very early stage, he will find that he will have many fewer problems later as he moves towards implementation.

The next point of our motion notes the confusion and concern that exists because of the lack of consultation. There can be no doubt that I found confusion and concern at the meetings I attended. It existed before I opened the meetings. I did not attempt to run the meetings or to address them. I simply said that I was there to listen. I heard question after question and noted an incredible degree of confusion. I know, even with my low opinion of the minister and the CLP government, that they would not be game to do some of the things people imagined they might do. I hope they will not prove me wrong about that. Arising from the confusion was an incredible degree of concern. All the motion asks is that the Minister for Education immediately remedy the situation.

No attempt has been made to amend this motion, nor has the government attempted to argue that the first 2 points are wrong. I can only conclude that either the minister will move immediately to remedy the situation or that the government believes that the minister should not remedy the situation and should allow confusion and concern to continue to exist. That would be just too silly for words. It is obvious that the minister intends to support the motion so that he will not be placed in the very embarrassing situation, along with all other members opposite, of agreeing that there is confusion and concern about the lack of consultation and denying that the minister should do anything about it.

Motion negatived.

MOTION
Administrative Decisions

Mr BELL (MacDonnell): Mr Deputy Speaker, I move that this Assembly:

(1) endorse the principle that every Territorian should have a right to know the reasons for administrative decisions that adversely affect him or her; and

(2) is of the opinion that a trial, non-legislative scheme should be implemented, based on reform elsewhere in Australia, requiring administrators in appropriate areas to give reasons for administrative decisions when they are made under legislation with a view to the future introduction of a legislative framework for such a scheme.

Mr Deputy Speaker, there is very little that is contentious in this motion and ...

Members interjecting.

Mr BELL: Mr Deputy Speaker, it is very difficult when, halfway through the first sentence of a speech which says that the concepts behind a motion are not contentious, one is interrupted by a volley of interjections from apparently uninformed government members.

I am asking the Legislative Assembly to endorse the principle that every Territorian should have a right to know the reasons for administrative decisions that adversely affect him or her. Let us look at this in quite simple and direct terms. I am sure that every member of this Assembly has received representations concerning decisions made by government departments, federal and Territory and, occasionally, decisions made by people in the private sector. In circumstances where people believe themselves to be

adversely affected by such decisions, I think that they have a right to know the reasons for such decisions. In my view, there is nothing contentious about that particular aspect of the motion. If the government finds the second part of the motion unacceptable, I hope that it will seek to amend it rather than to reject it out of hand.

The second part of the motion says that this Assembly 'is of the opinion that a trial, non-legislative scheme should be implemented, based on reform elsewhere in Australia, requiring administrators in appropriate areas to give reasons for administrative decisions when they are made under legislation with a view to the future introduction of a legislative framework for such a scheme'. This is hardly a controversial proposal. It has, in fact, been around for a considerable time.

Mr Manzie interjecting.

Mr BELL: In response to the interjection from the Attorney-General, I am not proposing freedom of information legislation for the Territory. I am aware of the problems with FOI and I am aware that there are concerns in government about the cost of it.

Before I turn to the recent seminar conducted by the Law Society on the topic of judicial review of government decisions, let me point out that there has been prior interest in this particular issue. I refer honourable members to the Annual Report of the Northern Territory Law Reform Committee tabled during these sittings and to a reference made to that committee by a previous Attorney-General, Jim Robertson. He gave the following reference to the committee:

(1) to identify and provide details of all present Northern Territory statutory provisions conferring a right of appeal from administrative and executive acts to a court;

(2) to report on the law as it applies to those appeals and as to the rules of practice, procedure and evidence relating thereto;

(3) to consider and report as to whether or not in each case it is appropriate that the appeal lie to a court;

(4) to consider and report whether or not in each case it is appropriate that a further appeal should lie from the decision of the court adjudicating on such an appeal;

(5) to consider and report whether or not it would be appropriate to establish a tribunal or tribunals constituted by a magistrate or a judge of the Supreme Court of the Territory to which such appeals could lie and, if so, the law and rules of practice, procedure and evidence which ought to apply.

The reference went on to say:

> In considering these terms of reference, when making its recommendations, the committee is asked to bear in mind that it is unlikely that the Northern Territory government will be prepared to establish any fresh system of appeal from administrative or executive acts which are not specifically provided for by statute, nor any which would, in the ordinary course, lead to a requirement for additional resources.

For the benefit of honourable members, I mention that that quotation comes from Appendix B to the report.

As I have already observed in response to an interjection from the Attorney-General, the opposition realises that we live in more straitened times than was the case in the days when related legislation, such as the Commonwealth Freedom of Information Act, was passed. I am sure that the Attorney-General, through the appropriate ministerial council, would have discussed the concerns at federal level about the cost of implementing that legislation. I believe that the Attorney-General would be of one mind with the much-reviled senator from another place, the Minister for Finance, poor old Senator Walsh who, in the context of this debate, may find himself elevated to the status of a guru.

Mr Manzie: They reckon they let a tiger out of the cage and cannot get it back in.

Mr BELL: The hard-working Northern Territory Law Reform Committee has a total of 3 references to deal with. With respect to this reference from a former Attorney-General, the committee reports that a working paper, including a table of the current legislative provisions for administrative appeals, has been prepared. I would be very interested to hear of progress in that regard. I trust that, either during the course of this debate or at some other stage during these sittings, we might be able to get some information in respect of that particular reference to the Law Reform Committee.

The other cause for my interest in this particular issue arose from a seminar I attended. It was organised by the Law Society of the Northern Territory and was preceded by the church service for the commencement of the legal year. I managed to see the Attorney-General singing hymns at the Uniting Church but, unfortunately, I did not see him at the seminar, at which Mr Justice Nader of the Supreme Court of the Northern Territory delivered a highly entertaining and extremely interesting paper entitled 'Natural Justice in the Northern Territory - Catching up or Leaping Ahead'. The keynote address was given by Dr Griffiths. Honourable members may have seen Dr Griffiths' interview on ABC television that night. He is a Sydney lawyer and Chairman of the New South Wales Law Society's Administrative Law Committee. He delivered a highly entertaining paper.

Mr Collins: I wish you would.

Mr BELL: In response to the member for Sadadeen, I do my humble best in the face of a particularly turgid audience on the government benches. If the audience on the government benches is turgid, at least 1 of the independents is frequently beyond endurance.

One particular case referred to by Dr Griffiths related to a problem experienced at Mungabroom. It is quite interesting to note that much use has been made by the Northern Territory of the administrative law provisions introduced by the Commonwealth, particularly the Administrative Appeals Tribunal and the freedom of information legislation. Dr Griffiths said: 'It is fitting that administrative law has been chosen as a theme for this conference because, over the last decade, the Northern Territory has produced a disproportionately high number of leading authorities on various aspects of this subject'. I venture to say that the Skywest case may exemplify some features of it. While it is not my intention to debate the pros and the cons of that case in this debate, there are some issues that flow from Dr Griffiths' paper that may be applicable to it and I will come to them in a moment.

Dr Griffiths commenced by talking about a case that was referred to the Ombudsman. It arose at a place called Mungabroom, which is near Tennant Creek and is served by radio telephone. Evidently, the telephone service broke down for several days and, as the station owners were unhappy with Telecom's failure to repair the service promptly, they laid a complaint with the Commonwealth Ombudsman. The Commonwealth Ombudsman investigated the complaint and was told by Telecom that there were problems with design and installation that made the service particularly difficult to operate and maintain. Telecom also explained that delays were unavoidable because faulty parts in the radio telephone had to be sent to Darwin to be repaired.

Telecom also advised that it had experienced various other practical problems over the years in maintaining the service. These included: (1) dog eating through feeder cable; (2) grader ploughing through the power cables; (3) galahs eating through the feeder cables; (4) feeder cables damaged by a bullet aimed at a galah; (5) batteries ruined due to failure of the primary power supply; (6) replacement batteries damaged beyond repair in transit from Darwin when they fell from the back of a truck; (7) savage dogs at the homestead; and (8) restoration delayed owing to maintenance technician dislocating his shoulder by throwing rock at menacing bull.

Mr Deputy Speaker, I am not sure whether the task fell to Dr Ken Rhodes, our hardworking Ombudsman whose services I sincerely appreciate. I think Dr Rhodes is the Commonwealth Ombudsman and the NT Ombudsman. The Ombudsman was sympathetic but he asked what Telecom proposed to do about the problem. It advised that it would hold 2 spare VHF terminals at Tennant Creek to avoid lengthy repair delays in the future. Presumably, everybody went off happy.

I think that members of the Legislative Assembly are frequently in the position where they have to undertake Ombudsman-like tasks. Occasionally, they have to go into bat for constituents and fight against injustices of various sorts on their behalf. Often, they are in a position of having to negotiate between 2 entities which are not communicating all that well with each other. Obviously, that was the sort of resolution needed in the case I have referred to. In respect of people's relationship with big government, the Ombudsman legislation enables us to maintain a greater degree of social cohesion than would be possible without it. Obviously, it is an artifact of increasing urbanisation.

Our proposal in this motion is that administrators in appropriate areas be required to give reasons for administrative decisions. What is proposed is that a provision similar to that in section 13 of the federal Administrative Decisions Judicial Review Act 1977 be trialed in the Territory so that people are able to apply to administrators in the public sector - and I have been fairly careful with the wording - 'in appropriate areas'. I believe that that is crucial.

I draw to the attention of honourable members the opinion of the Law Society. I have the Law Society on my side on this one. The President of the Law Society, Mr Graeme Hiley, issued a press release after that conference calling on the government to consider introducing administrative law reform in the Territory. He said that a 'substantial reform could be achieved by simply imposing on decision-makers, who made administrative decisions affecting individuals, the obligation to provide written reasons for their decisions'. He went on to make the point that this would avoid litigation, particularly civil cases which were instituted largely in order to find out why a particular decision was made. He commented that, in the long run, such a system might reduce the level of litigation in this growing field of law.

I draw to the attention of the Attorney-General that there are potential savings rather than an assumption of cost to the public purse in this regard. Litigation is not only a cost on the litigants but also on the public purse. I would be interested to know how much it costs the public purse to hold a Supreme Court trial. I am quite sure that not all of that expense is met by costs awarded in such cases.

We should point out that the common law position is that there is no obligation for administrators to give reasons. This derives from the ancient right of the Crown not to give reasons for its decisions. What the king said was law and there were no questions asked.

In the litigation that I referred to, some information might be disclosed to indicate what factors influenced the decision-maker's decision. Obtaining information in this way has drawbacks. People have to commence a process before the courts. Litigation is a hit-and-miss business because, even if successful, it does not tell the citizen precisely, in a standard form and in a standard way, the reason a decision has been made. Over 10 years ago, the Commonwealth recognised that there was some value in requiring administrators to give reasons for decisions and that it would complement the process of judicial review legislation. I should point out that I have done some research into this subject.

I draw the attention of the Attorney-General to the book, 'Commonwealth Administrative Law', written by Pearce and published by Butterworths in 1986. That makes the point that one of the unexpected and, to some extent unanticipated, advantages of the Commonwealth legislation was that, because administrators were concerned that they might have to justify decisions, they thought harder when making them. That was the view taken when the act was reviewed. That needs to be considered by those of us who are deeply involved in public administration.

Under the ADJR Act, decision-makers must supply 'a statement in writing setting out the findings on material questions of fact referring to the evidence and other material on which those findings were based and giving the reasons for the decisions'. There are, of course, exemptions to safeguard special classes of decisions. These are provided at the Commonwealth level and they cover things like commercial information. It would be unfair if an administrator were forced to provide information that might give commercial advantage to 1 or 2 competitors. Of course, there is also the question of national security.

A voluntary scheme could enable the government to assess the scheme's merits and I would be very interested to hear from organisations like RAIPA, our new Northern Territory Chapter of the Royal Australian Institute of Public Administration. I hope RAIPA will come to a review on this. There have been hundreds of applications under the ADJR Act which, although it was enacted in 1977, was commenced in 1980. No doubt much litigation has been avoided over the years.

The Northern Territory government is under some moral obligation to take this sort of legislation seriously because there are many occasions on which the Northern Territory government has made use of the federal freedom of information legislation, which enables bits of paper to be extracted from the bureaucracy. I am not sure whether the Attorney-General was a member of this Assembly when his predecessor, Minister Robertson, as Minister for Transport and Works, made extensive use of that legislation to obtain information on the Hill Report into the Alice Springs to Darwin Railway. I hope that I do not

put the government off this positive motion by raising such ghosts. However, as I say, the Territory has used this information ...

Mr Manzie: He nearly had me convinced, and then I suddenly tumbled to him.

Mr BELL: I notice the interjection from the honourable Attorney-General that I nearly had him convinced but that I have now lost him. I do apologise and I urge him to approach this motion with a clear and unfettered mind and spirit.

Mr BELL: In conclusion, Mr Speaker, I commend this bill - I commend this motion, rather.

Mr Manzie: Bill? You said there was no bill. Are you trying to sneak it in now?

Mr BELL: I hope I will be anticipated by the government and that it will introduce one itself fairly shortly along the lines that I have suggested.

I do point out that this motion is presented positively. It is an issue I have put some work into. It is an initiative that is supported by the Law Society which itself put in considerable effort and expense to conduct the seminar. I believe the Law Society is to be congratulated on the public-spirited manner in which it conducted that. Its intention was not to create work for lawyers; it was a constructive seminar that provided considerable, important input for a public debate in the Territory. I believe it is the responsibility of the legislature here - ourselves, Mr Speaker - to take those suggestions up, not on an uncritical basis and certainly giving due thought to cost, but also giving due thought to the appropriate use of the rule of law in the Northern Territory.

Mr MANZIE (Attorney-General): Mr Speaker, I suppose it was interesting to hear the comments from the member for MacDonnell regarding this issue but, unfortunately, I must inform him that his motion is several weeks out of date because the issue has already been brought to the government's attention and I have moved to investigate the matter further.

Early last month, I received a letter from the President of the Law Society, following the Seminar on Judicial Review of Administrative Decisions in Darwin, the particular seminar that the honourable member spoke about. In that letter, the President of the Law Society of the Northern Territory requested that the government consider the introduction of a system which would see administrators, who make decisions affecting people's rights or interests, required to provide reasons for making those decisions.

If I were cynical, I would say that the member for MacDonnell, being aware of the matters raised, probably thought this would be a good issue to run on. Unfortunately, I have to say that I have already responded to the request by the Law Society by putting the issue to the Northern Territory Law Reform Committee and, as the member for MacDonnell quite rightly pointed out, the previous Attorney-General had provided a reference to the Law Reform Committee on this particular issue.

The committee is chaired by Justice Sir William Kearney and its membership includes the Chief Magistrate, the Solicitor General, the Secretary of the Department of Law, Parliamentary Counsel, the Executive Officer of the Law Society and a number of representatives from private practice and government

bodies. The committee has the ability to coopt members with specialist knowledge when considering any particular issue. Clearly, the Law Reform Committee is is the most appropriate body to consider such an issue, and I have informed the Law Society of my decision to place the matter with that committee. The government will be in a position to consider the issue further when I have received the Law Reform Committee's report on this concept. In this context, the motion put by the member for MacDonnell is clearly unnecessary. It raises an issue which is already being addressed by government, and which will be addressed further when it has gone through the appropriate processes.

I think it is also worth while to bring to the House's attention the great work that is done by the Ombudsman of the Northern Territory. The Ombudsman has the task of inquiring into administrative decisions and making a report to this Assembly, because the Ombudsman is not an appointment of the government but an appointment by this Assembly. Honourable members would be aware that the Leader of the Opposition, the member for Ludmilla, and myself were involved in the selection of the present Ombudsman, Dr Ken Rhodes. He does an excellent job in the area of reviewing administrative decisions, and we cannot complain about the service the Ombudsman supplies.

However, I reiterate that the government's position is that the issue is already being addressed in the appropriate fashion. In the meantime, we will not be hastily supporting any ill-considered action such as that proposed by the member for MacDonnell.

Mr Bell: Oh, come on Daryl.

Mr MANZIE: Mr Speaker, the honourable member is becoming upset, but I think it is worth while ...

Mr Bell: Yes, I am.

Mr MANZIE: ... to point out that he attended a seminar and, like a bolt from the heavens, received an inspiration: 'I will run with this, and straightaway offer an instant solution in the form of a proposal that the government immediately take this on as a trial undertaking'. I point out to the Assembly that of all Australian states and the Commonwealth, the only 2 governments which have taken up this particular approach towards reviewing administrative decisions are the Commonwealth and Victoria. Western Australia, South Australia, Tasmania, Queensland and New South Wales, which is where the Dr Griffiths who addressed the seminar on this particular matter comes from, have yet to take any action providing an opportunity for administrative decisions to be reviewed in this manner.

I find rather presumptuous any suggestion that we should immediately leap into action on this matter. I believe all honourable members who have thought carefully about the matter would realise that it is a matter that should be addressed from the legal viewpoint. That is being done by the Law Reform Committee. Following that, the government will have to consider the matter in quite some detail. I say that because I have had conversations with politicians of all political persuasions in the areas where an act regarding judicial review is in existence, and I have not heard of enthusiastic support for the concept from those particular people. I would advise the honourable member to broaden his knowledge a little by talking to some of his colleagues interstate where this attitude prevails and where action is being undertaken.

Mr LEO (Nhulunbuy): Mr Speaker, the member for MacDonnell has introduced a very conservative motion which deals with an important area of public administration anywhere in Australia where government operates. The minister has indicated that he would turf out the motion as it stands. However, I think that perhaps an amendment or amendments could be proposed which would satisfy his dilemma over some precipitous activity being undertaken by this Legislative Assembly. I do not think anyone in this Assembly would disagree with a motion which stated that this Assembly:

(1) endorse the principle that every Territorian should have the right to know the reasons for administrative decisions that adversely affect him or her; and

(2) is of the opinion that a trial, non-legislative scheme should be investigated, based on reforms elsewhere in Australia, requiring administrators in appropriate areas to give reasons for administrative decisions when they are made under legislation.

I do not know whether or not that changed wording to the second part of the motion would accommodate the Attorney-General's dilemma but it certainly does remove from the motion any degree of precipitousness and any possibility that the Assembly is presuming upon the recommendations the Law Reform Committee may make in due course.

Perhaps the Attorney-General could let one of his colleagues know whether or not that amendment would be acceptable to government members. If it is acceptable to government members, perhaps it could be moved. It is an area of public endeavour throughout ...

Mr Dale: It is an amendment; he will probably speak to the amendment.

Mr Bell: Haven't you blokes caught up with it yet? No, your boss probably hasn't. He has headed off.

Mr LEO: Perhaps the Clerk could provide you with some advice, or indicate to me ...

Mr Bell: You blokes, who reckon we don't do any bloody work ...

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

Mr Bell: I will certainly withdraw it, Mr Speaker.

Mr SPEAKER: The honourable member will stand and withdraw that remark.

Mr BELL: Mr Speaker, I unreservedly withdraw the remark.

Mr LEO: Mr Speaker, it is my intention to provide a written amendment to the motion moved by the member for MacDonnell. I did not appreciate that the Attorney-General would be upset about the motion in its original form. I do not understand the government's consternation. I do not understand the Attorney-General's consternation at this motion. It certainly is a very ...

Mr Dondas: The Attorney-General is not even here.

Mr Bell: No. He should be, shouldn't he?

Mr Dale: What about your mob?

Mr LEO: Mr Speaker, I don't mind raising my voice in this House, as I have been known to do before and, unless the gaggle opposite is controlled, I am afraid I am going to have to do that. Mr Speaker, the Attorney-General ...

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

Mr LEO: Yes, Mr Speaker, I do withdraw.

Mr Dondas: Unreservedly.

Mr LEO: Unreservedly, for the sake of the member for wherever.

Mr SPEAKER: Order! The honourable member for Nhulunbuy will have a fair go.

Mr LEO: Mr Speaker, I did not appreciate that the Attorney-General would have the difficulty that he seems to have with this motion. It is, indeed, an extremely conservative motion. It does not inspire dread or woe in any way. I would not have thought that it would do that but, for the sake of the Attorney-General and for the sake of his colleagues, I will provide the House with an amendment that will change the second paragraph of the motion so that it would state that this Assembly: 'is of the opinion that a trial non-legislative scheme should be investigated, based on reforms elsewhere in Australia requiring administrators in appropriate areas to give reasons for administrative decisions when they are made under legislation'. That is how it would read and I really cannot understand how the government, or the Attorney-General, could possibly object to its innocuous wording. I really do not understand how it could be objected to.

It is an important matter, important enough to be the subject of a reference from a former Attorney-General to the Law Reform Committee. It is important enough for the Law Reform Committee to investigate and, therefore, it is certainly important enough for this Assembly to pursue. There should be no great difficulty with that. The motion, heaven forbid, does not commit the government to any action. That would be tantamount to some sort of revolution. It does, however, commit this Assembly to the investigation of further mechanisms to support citizens' rights.

People have decisions made about their lives every day of the week in the Northern Territory and throughout Australia. They have decisions made about their lives and, in a number of cases it is extremely difficult and costly for them to investigate those decisions in any way. I would ask members opposite to contemplate the amendment which I have circulated and to support it when the motion is put.

Mr BELL (MacDonnell): Mr Deputy Speaker, the amendment has been circulated in response to the ill-considered, unresearched remarks of the Attorney-General. The opposition has done its best to accommodate his concerns in the amendment circulated by the member for Nhulunbuy. The amendment would remove the impediments mentioned by the Attorney-General in his very scanty response to the remarks which I spent a considerable amount of time researching. I trust that the Attorney-General is listening to my comments and will return to the Chamber to speak to the amendment. Do members opposite have copies of the motion?

Mr Dale: No.

Mr BELL: It is on the Notice Paper. Have you got the Notice Paper, Don? Pick up your pen and I will tell you what the amendment is.

Mr COULTER: A point of order, Mr Deputy Speaker! Is the member for MacDonnell speaking to the amendment? Does he really expect us to take dictation in this Legislative Assembly so that we can record an amendment that has been put by his colleague the member for Nhulunbuy?

Mr LEO: Mr Deputy Speaker, I am speaking to the point of order. I was advised by the previous occupant of the Chair that I could move an amendment to the motion before the House. I was advised that, as long as the amendment was handed to him and as long as he had written confirmation of it, it would be allowed under standing orders.

Mr Dondas: We haven't got it.

Mr LEO: To reply to the member for Casuarina, the Speaker certainly does have it. I certainly did give it to him. I moved the amendment because the Attorney-General seemed to have great difficulty in supporting a completely innocuous motion which compels nobody to do anything. However, so that the government does not feel that it may be pushed into some activity, the motion has been diluted even further. Mr Deputy Speaker, a motion has been put before the Chair which, as I understand it, complies with the requirements of standing orders.

Mr BELL (MacDonnell): Mr Deputy Speaker, we are all agreed about the part of the motion which, along with motherhood, would be acceptable to every member of the Assembly. The second part of the motion says that 'a trial, non-legislative scheme should be implemented'. The amendment says, instead, that 'the implementation of such a scheme should be investigated'. It removes the words 'with a view to the future introduction of a legislative framework for such a scheme'. It commits the government to no action. It merely says that the matter should be investigated. Presumably that could be done within the reference to the Law Reform Committee that the Attorney-General referred to. His concerns could be addressed in that way. It certainly removes the cause for his objection to the second part of the motion.

The Attorney-General suggested that my motives in pursuing this issue were cynical. That suggestion does him no credit whatsoever. Time after time, the opposition pursues issues of importance in public life in the Northern Territory and this is one of them. I was very disappointed that the Attorney-General did not bother to come equipped to consider the argument about relative costs and the relationship between the administrative costs of such a proposal versus the savings via reduced legislation. I think that the Attorney-General is treating this Assembly with contempt and, in due course, deserves the contempt of this Assembly for dealing with the matter in that way. I suggest that he can salvage his reputation with respect to this motion by accepting the amendment that we have put forward and which will shortly be circulated. I will read it through and spell any hard words so that government members can be assured that it is appropriate.

Mr Dondas: Are you trying to filibuster?

Mr BELL: I have no intention of filibustering. The amendment is due to be circulated shortly and I intend to ensure that the Assembly is able to discuss it after that occurs.

Government members have a predilection for rejecting out of hand progressive proposals put forward by the opposition. They should accept that, in this case, the opposition is putting forward this particular amendment to accommodate their particular interests. The amendment to the second part of the original motion refers to the investigation of a non-legislative scheme rather than actual implementation. I am prepared to accept that the government would like a more fulsome consideration of the pros and cons of legislation relating to review of administrative decisions. Like the Law Society and people who are hoping to save money by obtaining information, we believe fundamentally that the matter should be looked into.

Mr Coulter: You must have a lot to do on your general business day.

Mr BELL: In answer to that interjection from the Treasurer, we do have a great deal to do, all of it positive and in the interests of good government in the Northern Territory and in the interests of all Territorians.

I am pleased that the Attorney-General has returned to the Chamber because I will reiterate ...

Mr DALE: A point of order, Mr Deputy Speaker! Could the honourable member please advise to the House whether or not he is speaking to the amendment?

Mr DEPUTY SPEAKER: There is no point of order.

Mr BELL: I am pleased that the Attorney-General has returned to the Chamber. If he has been listening on the loudspeakers, he will be aware that the member for Nhulunbuy has proposed an amendment that would accommodate his concerns. He will recall that the original motion required implementation. The amendment seeks investigation rather than implementation. We are not insisting that the Attorney-General follow a particular course of action. The amendment simply represents a resolution of this Assembly in relation to its recognition of the importance of the issue.

Honourable members will notice that, as well as changing the intent of the motion from implementation to investigation, the amendment deletes all words after and including 'with a view to'. There is no implication that the Assembly is bound to a particular course of action. However, this motion will represent an important resolution on the part of the Assembly for conveyance to the people of the Territory, provided that the hardworking journalists from the ABC, who are attending zealously to this riveting debate, are able to spread forth the word.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, we have referred the matter to the Law Reform Committee. When I receive a report from the Law Reform Committee, Cabinet will consider the whole matter. As I said earlier, there are only 2 governments in Australia that have moved this way. Western Australia, South Australia, Tasmania, Queensland and New South Wales have not had a bar of it. We would be stupid to rush into a scheme like this or even to endorse it until we have examined it in detail. The matter is being examined by the Law Reform Committee. The government will address the matter when we receive the report. Until then, I will not be endorsing any suggestions, amendments or motions put by the member for MacDonnell in relation to the matter.

Mr BELL (MacDonnell): Mr Deputy Speaker, I am very disappointed at the attitude of the Attorney-General in this regard. It is really mindless. It indicates an inability to decode the written word.

Mr Manzie: It is a disgraceful waste of time.

Mr BELL: Exactly! Let me pick up that interjection from the Attorney-General. Instead of an intelligent contribution on a public issue that is of importance to people in the community, that is of sufficient importance for the legal fraternity in the Northern Territory to spend a great deal of time and extraordinary cost in bringing interstate speakers here, the Attorney-General cannot even raise the energy to put more than 5 minutes into a debate on this subject. He cannot even bother to get his flock of flunkies to ...

Mr PERRON: A point of order, Mr Deputy Speaker! The honourable member has used words unbecoming to this Chamber in reference to honourable members on this side of the House. I feel that they should be withdrawn.

Mr BELL: Mr Deputy Speaker, the phrase I used was 'flock of flunkies'. I am sure the Attorney-General and the Minister for Industries and Development are offended by it but I think the intent of it is quite clear. Certainly, 'flock' can hardly be regarded as unparliamentary. 'Flunkies' may be offensive but it certainly is not unparliamentary.

Mr DEPUTY SPEAKER: Whilst the words may not be unparliamentary, they are offensive to some members and I would ask the honourable member to withdraw.

Mr BELL: Mr Deputy Speaker, I unreservedly withdraw, but the attempt to find suitable terms in the English language to describe the crowd of scribes, advisers, assorted scribblers and shufflers of paper who abound in the offices of members opposite, places considerable pressure on my vocabulary. We ought to be able to expect a little more than a 5 or 10 minute contribution from the Attorney-General and I will dwell on this point. Mr Deputy Speaker, you can be dead sure that, if this debate had come on at 11 am when the press gallery was chock-a-block, the Attorney-General would not have dared to spend only 5 or 10 minutes on it. Let me assure him that the Law Society will hear very soon that the Attorney-General does not even have the courtesy to research a subject which was the subject of a seminar which its members spent probably thousands of dollars organising and which they spent a day attending. The best he can do is spend 10 minutes on the subject. He had 24 hours notice instead of the 2 or 3 hours that is available in relation to discussions of matters of public importance. It reflects a cynical disregard for the legal fraternity of the Northern Territory. I might add that the cynical disregard of the legal fraternity and the cynical disregard for the rule of law demonstrated by the Attorney-General and his pack of cronies on the frontbench has become ...

Mr MANZIE: A point of order, Mr Deputy Speaker! The member for MacDonnell has described my regard for the law as 'cynical'. I find that offensive and ask you to rule accordingly.

Mr BELL: I am quite sure that the Attorney-General finds the reflection on his attitude to the rule of law offensive, but it happens to be accurate.

Mr DEPUTY SPEAKER: I ask the member for MacDonnell to withdraw the word 'cynical', given the context in which it was used.

Mr BELL: I withdraw the word 'cynical', Mr Deputy Speaker. I am thoroughly convinced that, given the fact that debates in this Assembly are part of the process ...

Mr PERRON: A point of order, Mr Deputy Speaker! The honourable member appears to be reflecting on the decision of the Chair, which is contrary to standing orders.

Mr SMITH: Mr Deputy Speaker, you asked the member to withdraw the word 'cynical'. He has withdrawn the word 'cynical' and is now proceeding with the course of his debate.

Mr DEPUTY SPEAKER: There is no point of order. I ask the member for MacDonnell to relate his comments to the motion.

Mr HARRIS: A point of order, Mr Deputy Speaker! There was also reference made to government frontbenchers as a 'pack of cronies'. I would ask that the member for MacDonnell withdraw that.

Mr BELL: No, I won't.

Mr DEPUTY SPEAKER: There is no point of order.

Mr DALE: A point of order, Mr Deputy Speaker! The member for MacDonnell has obviously lost control of himself. For the third occasion during these sittings, he used an expression in interjections across the floor whilst you were conferring with the Clerk. I would ask, for the third time, that he be asked to withdraw that comment.

Mr BELL: I believe I can assist you in that regard, Mr Deputy Speaker. The Minister for Health and Community Services is quite right. The Attorney-General so raised my ire that I did come out with the traditional Australian adjective. I not only withdraw that, but I apologise from the bottom of my bended knee.

Mr Deputy Speaker, the attitude the Attorney-General demonstrates for the part that the Legislative Assembly plays in the rule of law in the Northern Territory fills me with contempt, as does the government's opposition to this motion.

Amendment negatived.

Motion negatived.

MOTION
Liquor Amendment Bill (Serial 41)

Mr BELL (MacDonnell)(by leave): Mr Speaker, I move that the order of the day for the second-reading of the Liquor Amendment Bill (Serial 41) be restored to the Notice Paper and be made an order of the day for a later hour.

Motion agreed to.

MOTION
Reference to Sessional Committee on the Environment

Mr BELL (MacDonnell): Mr Speaker, I move that the following matter be referred to the Sessional Committee on the Environment:

> the use of non-urban land in the Northern Territory with particular reference to:

(1) the allegation of the degradation of the Territory's range land; and

(2) the regulation and management of the Territory's rural land use resource with particular reference to

(a) the information base relating to natural resources; and

(b) the transfer of appropriate and useful techniques to land-holders.

Mr COLLINS: A point of order, Mr Speaker! From my understanding of the Sessional Committee on Environment, I believe this is outside the terms of reference of that committee. I do not think it is appropriate.

Mr SPEAKER: There is no point of order. I am advised that the terms of reference of the committee were extended in April 1987.

Mr BELL (MacDonnell): Mr Speaker, to pick up the comment from the member for Sadadeen, I remind him that, subsequent to his membership on the Sessional Committee on the Environment, the terms of reference were changed to allow it to consider other environmental issues that may be deemed by the Assembly to be of concern, in the same way that the highly-contentious uranium mining issues which have been of concern in the Alligator Rivers area over the last 12 to 15 years have been, quite appropriately, a matter of concern for the Sessional Committee on the Environment. I suggest that questions associated with appropriate range land management techniques and related information should be the subject of deliberations by that committee.

Honourable members will recall that yesterday we had a matter of public importance debate in relation to the government's policy on the freeholding of pastoral land. It is in that context of public consideration that I believe that the Assembly should provide this reference to the Sessional Committee on the Environment. I will briefly refer honourable members to some of the issues that were raised yesterday. I remind them of the nature of the allegations of the degradation of Territory range lands. I quoted from the government's report commissioned from GRM International Pty Ltd wherein some concern was expressed about degradation.

As I said yesterday, the Commonwealth Scientific and Industrial Research Organisation's arid lands program has made its response to the Rural Land Use Advisory Committee on pastoral freehold. It was concerned about relevant government legislation dealing with environmental deterioration and soil conservation and said that this must be made enforceable. One of the reasons why this matter should be referred to the sessional committee is that it went on to say that there is no generally accepted definition of 'environmental deterioration'. It is difficult to obtain agreement among the various authorities on what exactly constitutes environmental deterioration. It pointed out that, in more than 100 years of pastoralism in the Territory, 'profound changes' have occurred to the Territory's pastoral lands. It points out that the change in pastoral land has 3 important components: firstly, a progression from more palatable to less palatable forage plants; secondly, an increase in the density of trees and shrubs; and thirdly, accelerated soil erosion.

It refers to problems in government in relation to these matters and points out that what needs to be resolved is the use by departmental staff of

new knowledge and technologies. It suggests that some staff should engage in the collaborative pursuit of duties across departmental boundaries. I point out, in passing, that that is exactly one of the concerns that has been expressed to me by the Cattlemen's Association and by constituents who hold pastoral leases.

The final point I make in relation to the CSIRO submission is that it states that it is critical that new methods of land monitoring be implemented along with incentives for good land management, in the same way that the GRM Report says that there are problems in terms of an information base in this regard. Both the CSIRO and the GRM studies indicate that there is a shortfall in our information base. Because of the problems referred to, it is quite appropriate that the Sessional Committee on the Environment should have the matter referred to it in the terms set out by the motion.

I am aware of the government's deliberations. It is appropriate that the government continue to obtain advice from its Rural Land Use Advisory Committee. As I said yesterday, I am certainly hoping that the government will involve itself in the non-urban land use seminar that we have discussed both in the Assembly and in the media. This week, the Australian Conservation Foundation has said that the question of degradation is a matter of concern to it. Honourable members will be aware of the vexed debate on the shooting of feral horses. There are 2 sides to that debate, Mr Speaker. On one hand, the animal liberationists say ...

A member: And the horses.

Mr BELL: To answer the interjection, I am not sure whether there is an equine position in this regard and I suppose I will call down the wrath of the animal liberationists on my head if I suggest that they might not have one. However, I am prepared to run that risk, Mr Speaker.

On one hand, the animal liberation people say that the shooting is carried out inhumanely. On the other hand, there is the environmental argument that large numbers of wild horses in particular areas undoubtedly cause considerable environmental damage. There can be little doubt that those sorts of issues must be referred to the Sessional Committee on the Environment in the terms that I have mentioned.

Honourable members will be aware that the legislative framework for the management of non-urban land has always expressed concern about this matter. There has always been debate in pastoral circles about maximum stocking rights. Even in the rural farm areas around Territory towns, there are restrictions under town plans on the number of 'great beasts' - I think that is the expression. There is certainly such a restriction in the Alice Springs Town Plan. On 5-acre farms that are zoned rural A, no more than 2 great beasts are allowed to be pastured. The reason for that is concern about the creation of dust bowls etc.

At this stage, I will not say any more, Mr Speaker. I will wait until I hear contributions from honourable members, in the hope that this motion will be dealt with in a positive way and referred to the Sessional Committee on the Environment. I will respond when I am summing up.

Mr PERRON (Industries and Development): Mr Speaker, it is a little bit awkward to conduct this debate at a time when the Pastoral Industry Study is on the Notice Paper for further debate. With the indulgence of the Chair and the opposition, I might use a few lines from the report because it is relevant.

The motion before the House appears to have stemmed from some of the words in the Pastoral Industry Study although it does not seem to follow them closely. The writers of the report used the following words:

> On the subject of regulation and management of the land resource, there is a lack of evidence that there has been a general degradation of the natural resource on which the pastoral industry is based. There are, however, some localised exceptions such as the more fragile ecosystems in the Alice district, some areas on the northern coastal plain and some on the red soil areas of the Victoria River District.
>
> The industry has maintained its long-term productivity in the face of economic and climatic conditions which have often been adverse. Recent advances in monitoring techniques using remote sensing should ensure that long-term changes can be adequately identified in the future. Calls for increased levels of regulation are likely to be costly, impractical and ineffective. Our preferred option is to improve the information base relating to natural resources and the transfer of appropriate and useful techniques to land-holders.

Mr Speaker, those words are clearly important because, whilst this motion does not call specifically for more regulation in the industry, it says we should go out and see what damage is being done in order that we might do something about it. Regulation and coercion are, I guess, the natural extrapolation of what would happen if the committee found that there was a serious situation in terms of environmental degradation.

On page 13, under the heading of 'Conservation', the Pastoral Industry Study said, referring to the pastoral industry:

> The industry has maintained its long-term viability in the face of often adverse economic and climatic conditions. There is a lack of evidence that there is a general and progressive deterioration of natural resources on which the industry is based.

It goes on to say:

> It is recommended that improved monitoring of the changes in the resources should be accelerated based on the recently-developed remote-sensing technology and, where possible, an improved information base and the transfer of appropriate technology should be made available to pastoralists to promote sound land management in preference to increased levels of regulation.

Mr Speaker, I will not need to quote from the Pastoral Industry Study any more, so I will feel on safer ground about being pulled up now.

It appears that the Pastoral Industry Study has addressed the question fairly thoroughly in what has been an expensive and time-consuming report. It is unfortunate that, to date, the Assembly has not been able to debate the question.

I turn to the few words the honourable member used in supporting his motion today. He mentioned that the allegation of degradation, which is mentioned in the first paragraph of the motion, stems from the GRM Report. As I mentioned in my opening remarks, the GRM Report said there was lack of evidence that there had been general degradation. It made other comments such

as: 'there is a lack of evidence that there is a general and progressive deterioration in the natural resource'. Really, the honourable member has not used words extracted from the GRM Report to support his argument at all.

Mr Bell: I also referred to actual degradation.

Mr PERRON: Well, the motion does not refer to actual degradation.

Mr Bell: No, it does not refer to actual degradation. It refers to the allegation of degradation.

Mr PERRON: I take it that the member for MacDonnell's interjection means that he was referring to actual degradation as well. I do not recall him providing very much evidence of actual degradation of a degree that would warrant the action that his motion proposes and I will come shortly to what that action is.

In fairness to the honourable member, he also mentioned that a source of information for the allegation of degradation was a recent submission made by the CSIRO to the Rural Land Use Advisory Committee. Before touching on that, I would like to make the point that the issue of degradation can be coloured by one's concept of what constitutes degradation. This point, in fact, was made by the honourable member himself. Some outspoken people in the community apparently associate degradation with a change that may have occurred since European settlement. Land use has changed and it is indisputable that flora and fauna resources have changed as a consequence but that is only degradation in the eyes of some people, not in the eyes of all people.

The second point I would like to make is that the moderate and more widely-accepted view of degradation associates the concept with the currently designated land use and, in particular, with a loss of capacity to support that land use in the long term. Our range lands are used for mining, tourism, cattle production and residential purposes and that includes, of course, Aboriginal uses of land. There is no evidence that any of these industries are declining in the Northern Territory although the extractive mining industry necessarily degrades its base resource in order for it to survive.

Another relevant point that I might make, and this is more an observation than anything else, is that it is during times of drought that the pastoral industry seems to attract the kind of criticism it is receiving here today. That occurred, for example, back in the 1960s as well as during the current period. This seems to indicate that critics do not know the difference between real degradation and the inevitable decline in ground cover and species diversity during drought periods. Though the country may look barren now, the landscape will change dramatically when more favourable seasons return, as inevitably they will of course.

The Northern Territory Cattlemen's Association, as honourable members may imagine, takes a very close interest in this matter as well because it affects the very survival of its members. It is true that the cattlemen, particularly those in central Australia, take strong exception to some of the criticism and allegations that are made about the treatment and condition of the range lands. Of course, it should be borne in mind that cattlemen do not take kindly to some of the radical views that are put forward by members in our community who would, without doubt, have the cattle industry, the pastoral industry, shut down totally if they had their way. Indeed, that very view has been expressed strongly to me personally by one of the Territory's environmentalists who strongly believes that for mankind to continue to

survive, we really need to get rid of the awful animal that we have introduced on such a widespread scale in Australia.

Mr Bell: Who said that?

Mr PERRON: I will give you his name.

Mr Bell: Do you know him?

Mr PERRON: Yes.

Mr Bell: I would have thought you wouldn't have anything to do with him.

Mr PERRON: I don't have a lot to do with him. I went to school with him.

Mr Speaker, few people could come anywhere near matching the experience of those families that have been managing properties, in some cases for some generations. They justifiably claim that they know the land extremely well, certainly better than most. They have seen it in all sorts of seasons and all sorts of stocking conditions, and they take some exception to public servants and others making bold statements about how they treat the land and whether their methods are good or bad. It is true that many cattlemen would not have the academic qualifications of people such as those who work for the CSIRO and, indeed, for my own department. But nobody could deny their very genuine interest in the subject - and I mean genuine interest. They are not putting forward frivolously the opinion that they manage the countryside well. They are there for the long term. They have been there a long time now and they are not simply trying to gloss the situation over and make it sound a little more rosy than it really is in the hope that they will survive another year or 2 without criticism.

Mr Smith: Who are you talking about?

Mr PERRON: The pastoral industry, the cattlemen.

Mr Smith: Generally?

Mr PERRON: Yes, generally and in central Australia.

Mr Speaker, the member for MacDonnell certainly knows that last year a field day was held at Narwietooma. I think it was in October last year. The field day was held on the subject of rural land management. Because of other commitments, I was unfortunately unable to be there. My colleague, the Minister for Tourism, was there and I understand it was a very successful rural day and well attended. Cattlemen, along with experts from the CSIRO and my department, went deeply into various views and theories about range land management.

Subsequent to that, the cattlemen funded a trip of their own to various places in New South Wales to examine what is termed the 'woody weeds' situation which, sadly, has developed in large areas of that state. It seems that the historical treatment of the land, particularly overgrazing, has removed native species and led to the growth of small bushes or woody weeds which have prevented the return of natural pastures. It is quite a serious situation and the cattlemen of central Australia went to New South Wales to examine it, in association with a CSIRO scientist. They certainly take an interest in such matters. Indeed, the Cattlemen's Association has a policy on range land management and I believe that it has been drawn up seriously. I will not bother reading it out to honourable members at this time.

Mr Speaker, liaison between the Department of Industries and Development and the industry, through a body that the government set up, the Southern Region Pastoral Industry Advisory Committee, has resulted in action towards achieving the department's objectives in central Australia. The department's range land objective is:

> To achieve maximum sustainable productivity for grazing industries based on native pastures by monitoring and developing a comprehensive understanding of the range land resource base and providing an appropriate influence on industry to achieve desirable changes in utilisation and management.

That objective is well-known to cattlemen, particularly in central Australia, where the issue is most prominent and where discussions have occurred in relation to it. A number of matters have been agreed to as a result of those discussions and I would like to put those on the record because they are directly relevant to the honourable member's concerns and his motion proposing action by this Assembly.

Cattlemen in central Australia have agreed to: determine and document the current state of the range land resource in the Alice Springs district; monitor changes through fixed recording sites at selected localities over a 2 year to 10-year period of recording; and, extend range land assessment into the Barkly and the VRD. There was an agreement that a survey would be undertaken to achieve those things and it was agreed that the survey program should be implemented with flexibility in order to accommodate the individual needs of client pastoralists. The pastoralists wanted to gather information beyond that sought by the departmental officers because they could obviously see that building on that information base would be very valuable to them as managers.

It was also agreed that the interpretation of station survey results should be undertaken in conjunction with the client pastoralist and that the appropriate parts of the subsequent station report should be based on the account of those discussions. The pastoralists clearly want to be involved in the collection and interpretation of data. They do not want to sit back and allow a horde of academics to come onto their properties and take all sorts of recordings about the grass, the soil, the dirt, the dust and so forth and then disappear to write their reports. Understandably, they want to be involved in the interpretation of that data.

Another recommendation agreed to was that the group would compile an inventory of range land resources to assist a better understanding of the productivity of the pastoral range lands. The next involved monitoring of range land responses to season, management practices and other appropriate phenomena. Another recommendation considered relationships between management practices, seasons and the value of range land as a grazing resource.

The overall aim was to provide advice to pastoralists and government agencies on the productive utilisation of the Northern Territory range lands. The program was to be fully explained to new participants and to those who first participated many years ago. It is obvious that there has been considerable collection of data to date. It was agreed that the initial report to each property should be restricted to the objective information obtained from the property, interpretation of that information, recommendations and advice and that it should be the subject of discussions and joint inspection prior to the finalisation of a report, which should be a balanced account of the discussions. It was also agreed that there should be

provision for individual pastoralists to opt for more intensive monitoring than is available under the standard package. This option might include such things as additional sites, greater frequency of recording, recording of rainfall and incorporation of stocking records.

Where practical, station owners in a geographical area would be brought together on a field day to compare notes following each re-survey. It was considered that greater efforts should be directed to quantifying those factors important in range land management; in particular, stock management, fire and seasons should be recorded more intensively and all data collected on standard pro forma and stored in the computer database.

Mr Speaker, those matters were agreed upon by the members of the Southern Region Pastoral Industry Advisory Committee. The Rural Land Use Advisory Committee has an important role in the process of gathering the information that I have just detailed. The committee is comprised of officers of the Northern Territory government from the Department of Industries and Development, the Conservation Commission and the Department of Lands and Housing. It is currently assembling data on land resources in the Northern Territory. That is a mammoth task, as honourable members will appreciate and, sadly, will take a long time to complete. However, it is being done.

While I have the time, I should also refer to the situation with the CSIRO. The member for MacDonnell quoted the CSIRO in support of his motion. I do not have its submission but I have a letter from the CSIRO to myself. I also have some quotations from an article that appeared in the Centralian Advocate of Wednesday 2 March. I do not vouch for the accuracy of the article, since the information has been interpreted by a journalist. It says that, in its comments to the government's Land Use Advisory Committee in relation to the freeholding of pastoral land, the CSIRO 'calls for an objective survey of the state of pastoral lands before the issue of land tenure is decided'. The CSIRO would like an objective survey. It would also like to carry out that survey and to be funded to do so by the Northern Territory government. The article says that the CSIRO submission argues that 'The form of land tenure for pastoral properties should ensure that the land is at least maintained in its current state to ensure long-term viability'. If that is the CSIRO's view, it does not indicate that the place is in a terrible shambles and that a committee of this parliament should rush down there to check it out. The article also quotes the submission as saying that 'The Northern Territory's pastoral lands are in better condition than their equivalents in the rest of Australia'. Mr Speaker, I am pleased with that. I suppose the member for MacDonnell could say that that does not mean the condition of our land is good because the rest of Australia is in pretty bad shape. It certainly does not indicate, however, that there is dire concern on the part of the CSIRO.

The CSIRO wrote to me on 12 February 1988, and I will read the first paragraphs of that letter because it is relevant to the issue at hand. It is addressed to the Minister for Industries and Development and it reads:

> Dear Sir,
>
> The recent release of the Rural Land Use Advisory Committee discussion paper on freehold land tenure has once more put the issue of pastoral freehold in the news. A key point in determining whether freehold should be introduced is the extent to which land degradation has occurred under cattle grazing and whether adequate safeguards of land management will be maintained.

> The view of the environmental movement seems to be that degradation has and is continuing to occur. Cattlemen, however, believe that while degradation occurred in the early times it has now largely ceased. They also feel that much of the erosion they are accused of causing is, in fact, natural. The conflict between these viewpoints arises because it has not been technically feasible to distinguish between natural and grazing-induced erosion, so no credible surveys have been done. Neither side is therefore arguing from an adequate factual base.

That is the CSIRO's point of view, as expressed to myself as minister, on 12 February 1988. It does not indicate that the situation in Alice Springs or anywhere in the Territory is such that we should fly into a panic and put together an expensive delegation of this parliament to investigate it. The CSIRO is saying that the matter needs quantification and evaluation and I do not disagree with that. It is saying that the job needs to be done. It is not alleging, as the member for MacDonnell claims, that degradation already exists and that we should be doing something about it.

The honourable member should be mindful of a couple of things. Firstly, central Australia is entering what might be called a post-BTEC situation. The areas in which cattle have been given the all-clear are extending progressively towards the north because the scheme has virtually achieved its aims in central Australia. This means that the scene has changed in central Australia. For the first time in history, cattle properties will be managing controlled herds. As honourable members are aware, most of the pastoral industry in the Territory of the past has been based upon cattle roaming on an open-range basis. Pastoralists have had minimal yarding and have harvested the progeny in the bush on a regular basis and sent them off to market. The industry has survived in the Territory, largely because of the low costs of production. It has been able to ride out bad times, during which pastoralists have tightened their belts and kept overheads to a minimum.

Things are changing. BTEC means that every animal in the Northern Territory has to be controlled and tested and will be tested occasionally in the future. The scene in central Australia has changed. We should not believe that management practices have not changed since 100 years ago.

The government is working with the CSIRO with a view to furthering the development of the resource base and to making further use of the satellite technology that it has developed. I have been shown over the technology in Alice Springs by CSIRO scientists and it is very interesting and exciting indeed. The department is discussing those matters with the CSIRO. The subject of the honourable member's motion is a very expensive exercise. It is an exercise which would require an enormous amount of resources.

The list of steps which the CSIRO would undertake to formally assemble the resource base and evaluate it is enormous. The process will take a considerable period of time. The honourable member's motion seems to suggest that a bunch of politicians should be able to go down there, cast aside the expertise and academic qualifications of professional people utilising computers, and make the decision for everybody. Really, that is what this motion tries to do. It expects members of this Assembly to be some sort of supermen.

I also point out to honourable members that there is a federal Senate inquiry under way into the extent of land degradation in Australia. The taxpayers will be paying pretty heavily for this and the Northern Territory

government has already responded to the relevant federal minister, stating that we will cooperate with that federal inquiry in every way possible. We will see what it comes up with.

I think the member for MacDonnell should have sought information in question time or through letters to members on this side of the Assembly. He has those options. Over the past month or 2, if he has been gravely concerned about this matter, he should have asked the Minister for Conservation questions about what his department is doing on the subject or asked me about whether we are cooperating with the CSIRO etc. But, no, he takes none of those opportunities. He boldly comes in here, throws a motion on the Table and expects us all to support it irrespective of the ramifications.

Mr Speaker, the government will not be supporting this motion because the matter does not warrant the time and the expense to the taxpayer which would be involved, particularly at a time when - as honourable members who have been listening will understand - the assessment and recording of the range land resource in central Australia is in hand.

Mr SMITH (Opposition Leader): Mr Speaker, that was one of the longest half hours of my life. That is a reflection on the minister's delivery rather than the content of his speech. His content was very good but I must admit that I found it difficult to concentrate.

Mr Coulter: You have 20 minutes to tell us the difference between a muscovy duck and a cow.

Mr Ede: You wouldn't know the difference.

Mr Coulter: That is what I am not expecting him to say.

Mr Ede: You are asking him.

Mr SMITH: One thing can be said for the Minister for Industries and Development. His remarks have some content, which is more than can be said for those of the minister sitting on his left.

Mr Speaker, the first 25 minutes of the honourable minister's speech presented a very good argument for the extension of the terms of reference of the sessional committee. Essentially, the honourable minister said that there is a great deal of information around, controlled by a number of different bodies. It would be very useful indeed if the Sessional Committee on the Environment had, as one of its terms of reference, the pulling together of that information and its utilisation, as the second paragraph of the motion mentions, in establishing an information base relating to natural resources and in facilitating the transfer of appropriate techniques to land-holders.

Let us make one thing clear right from the start: we are not talking simply about pastoral land; we are talking about a rural land use resource. Increasingly, we will find in the Northern Territory that a rural land use resource includes much more than the pastoral industry. Increasingly, it will include tourism, mining and recreational interests. It is not simply a reference to the sessional committee on pastoral land use; it is a reference to the sessional committee on rural land use in terms of trying to put together a comprehensive picture of what is happening to the environment, organising and providing an information base for relevant authorities and putting in place appropriate and useful techniques for land-holders.

Mr Speaker, to concentrate on the pastoral industry for a moment, we all know that it is going through some quite significant changes. Pressures are now being placed on the pastoral industry that did not apply a few years ago. There are pressures, which did not exist 20 years ago, to maximise the output and stock turnover on any particular piece of land. Different land-use techniques are being adopted by pastoral land owners as the size of properties and holdings increases. A key example of that is the Sherwin empire. The Sherwin empire has developed a process of staging cattle from one property to another as they are taken down for final fattening and slaughter in Queensland and New South Wales. That is a new technique and we have not come to grips with its effect on pastoral properties.

Also, an increasing amount of Territory land is controlled by absentee landlords, both from interstate and overseas. In my view, that will also place greater pressure on pastoral properties. That is because absentee landlords do not have the same long-term regard for the ongoing prosperity and future of a particular piece of land as do people who have a family interest or an interest extending over the generations.

Mr Coulter: What are you suggesting? That Kerry Packer doesn't run Newcastle Waters properly?

Mr SMITH: What I am suggesting is that those people may not have the same long-term regard for the land that families who have been on a property for generations are likely to have. We have to recognise that the basis of land ownership in the Northern Territory is changing. There are fewer family-owned properties; more and more properties are owned by companies and more and more of those companies are controlled interstate or, in some cases, overseas.

To give an example, Mr Speaker, I would not have thought that it was high on the list of priorities of the Sultan of Brunei to ensure the long-term viability of the properties that he controls in the Northern Territory. All he wants is a quick turnover of cattle - as many cattle as can be turned off his properties as possible.

Mrs Padgham-Purich: What about the pastoral inspectors and the Department of Lands and Housing? Are you saying they don't go a good job?

Mr SMITH: To answer the comment of the member for Koolpinyah, we are not asking the sessional committee to take on the role of pastoral inspectors. Pastoral inspectors have a quite well-delineated role under the Crown Lands Act and other legislation to ensure that the covenants on existing pastoral properties are maintained. What we are saying in this particular motion is that there is a role beyond that. There is a role to coordinate information that is available and to point out to pastoralists, in this particular instance, ways in which they can both improve their productivity and make sure that their properties are not being degraded.

At this stage, I want to pay tribute to Bob Purvis, a central Australian pastoralist who, on his own initiative, has undertaken quite extensive work on his property which has made him the Australian leader ...

Mr Ede: You saw my notes.

Mr SMITH: I can't read your writing.

He has become an Australian leader in terms of ensuring that the land environment is protected and upgraded whilst, at the same time, getting a very good return indeed from his property.

Mr Speaker, you could well call this particular motion the Bob Purvis motion. What we want to put in place, on an organised basis, is an approach to property management and pastoral land management, along the lines of that undertaken by Bob Purvis. What we are saying, in effect, is that not everybody has the skills, the capacity and the interest that Bob Purvis has to undertake that on their own. This Assembly's Sessional Committee on the Environment is well placed to learn from the experiences of Bob Purvis and to go to the CSIRO and other groups that have been active in this particular area. It could pull all the information together and suggest to pastoralists that there are ways in which they can use their land more productively whilst making sure that the land will still be able to be used productively by generations to come. That is the bottom line.

We have heard in another debate that 53% of the Territory is controlled under pastoral leases of one sort or another. In the opposition's view, it is time we pulled together the available information to ensure that that 53% of the land is as productive within 2 or 3 generations, if not more productive, than it is at present. A sessional committee is the ideal vehicle for that task. It is the only group with the capacity to pull together all the strands of information that are available at present and to put them together in a coherent form which can be put out to pastoralists so that they can take part in this project as well.

Mr EDE (Stuart): Mr Speaker, it is not surprising that we have no rational contributions to this debate from members opposite. They all come from little urban pocket-handkerchief electorates and not one of them has done a hard day's work in the bush in his life.

Mr Manzie: What do you know about rural life?

Mr EDE: Mr Speaker, I happen to have been brought up on a cattle station. I happen to know a little bit more about living on a cattle station than the member opposite who was brought up in Woollongong and knows a lot about growth on slag heaps but not much else.

The minister admitted that we require a database. We need to know more about the resources. One of the big problems in discussing this issue is that there is no data about the effect of overstocking and the effect of feral animals, droughts, floods and so on. A good information base, built up over a fair period of time, is needed to distinguish between the effects of a natural drought cycle and those which result from overstocking or other bad pastoral practices.

Many years ago, a study on feral animals and their impact on the environment of the Northern Territory was carried out by a committee headed by Dr Goff Letts. The comprehensiveness of that study made it quite renowned. It gave us some very interesting information on the effect of feral animals on the land resource. As a matter of definition, cattle are feral animals and, in assessing the impact of such introduced species, one has to look at their effects on the natural range land.

The camel is another introduced species. It is often argued that, because camels do not have the same hard, cloven hooves as cattle, they have less impact on the environment. Camels, however, have a different grazing pattern to cattle. They graze along the top of the sand dunes and remove the growth which stabilises the dunes. That is why, in a drought period, dunes where camels have grazed move a lot faster than dunes in other areas.

One of the findings of the committee headed by Goff Letts was that degradation in the Alice Springs region, which is noted for a very high level of owner-operator cattle properties, is not as bad as in some parts of the Victoria River and Barkly regions where there are more company-owned properties. Local owner-operators have often been in the area for generations, know their properties and have built up a relationship with the land and a pride in the land which motivates them to ensure that that land continues to produce. Mr Speaker, you will recall the former owner of Ammaroo, Will Simpson. He virtually had the whole place drought-proofed because of the practices that he had instituted there. Bob Purvis has been mentioned already. His station, Atartinga, was substantially degraded some years ago and there was some doubt as to whether it could be rehabilitated. His management techniques have built up what were scrub lands. He has adopted burning-off practices and cattle management techniques which have enabled him to make that property viable again. He has also found that, by running fewer cattle, he makes more money.

We have to remember that many of these cattle stations have been through a very substantial reorganisation due to the BTEC program. They have had to make large capital expenditures to comply with the program and, in these times of high interest rates, they have been forced into a corner. This has meant that some had to choose between going under or overstocking in the hope that the seasons would be good and that they would be able to survive. In some cases, however, the seasons have not been good and, instead of being able to turn off increased numbers of cattle, stations have been forced to keep them on with significant negative impacts on the range lands.

I am not saying that all owner-operated properties have been managed as well as Atartinga. I have been very disappointed, for example, in Mt Doreen. Mt Doreen used to be quite an attraction. Problems have arisen there in recent years with large numbers of scrub cattle. Station management has been unable to yard them all and to work out how many are actually on the property, and their presence has led to quite substantial degradation in some areas.

However, Mr Speaker, that degradation is nothing compared to what you will see if you drive around the Barkly. It is very revealing, in the middle of the Dry, to stop your car and walk out onto the flat. You will see that the ground is covered with little hummocks of grass about 4 inches above actual ground level. Over the years, the surviving grass has maintained its position while 4 inches of topsoil has disappeared because of overgrazing and the resultant inability of the natural pasture to hold the land together. What will happen if we do not move on this issue? Will we allow all the topsoil on our good grazing lands to end up flowing down the Georgina River into western Queensland? This is one of the Northern Territory's most shameful exports: our topsoil. It is one of our valuable commodities and we are allowing it to be exported for no return whatsoever to the Northern Territory.

Mr Speaker, as I said, the major issue is the establishment of a database so that we have some fixed reference points. I remember, when the member for Victoria River was Minister for Conservation and also Minister for Primary Production, that he once put out 2 quite contradictory press releases in the space of about a week. Whilst wearing his conservation hat, he spoke of the very real problems of managing the pastoral land resource. However, when he donned his primary production hat, he said there were no problems whatsoever.

Mr McCarthy: There are not.

Mr EDE: Now that he wears neither of those hats, he has decided that there is no problem.

If he believes that, I would ask him to come out and have a look around the bush because he has obviously been spending too much time in the Chan Building. There are very real problems. If we were ever to attempt to restore the land to its original state, it would cost hundreds of millions of dollars. The restoration of land is phenomenally expensive and conservation is the only economic possibility.

Any move by this parliament to acknowledge the problem and to bring together available data from the Department of Lands and Housing, the Conservation Commission and the Department of Industries and Development will provide a constructive start. We need to establish base data and any such initiative is worthy of this House's support.

I support this motion wholeheartedly. I believe that, if we do not support it, future generations will curse us for it. We will have squandered the Northern Territory's most valuable natural resource: its topsoil. Those people will say: 'If only those politicians had put aside party considerations and forgotten for a moment about scoring political points, if only they had realised the extent of the problem and taken it seriously, if only they had wiped the leering grins from their faces and addressed the issue, something might have been done'. If we do not act soon, it will be too late. We will not be able to restore the land and that will make us paupers.

Mr MANZIE (Conservation): Mr Speaker, the debate commenced in a reasonable fashion. The member for MacDonnell put his arguments clearly and concisely and gave all honourable members some food for thought. The Leader of the Opposition's contribution was pretty reasonable under the circumstances. However, the last contribution painted a picture which showed why a parliamentary committee to examine this matter would not be very advisable.

Mr Bell: It's not for a parliamentary committee, Daryl. It's a reference.

Mr MANZIE: Mr Speaker, the member for Stuart adopted a scientific approach and gave us a story about all the cattle stations in the Territory. He told us that cattle were feral animals anyway and that we should get rid of all feral animals. He then gave us a bit of a lesson on hummocks on the Barkly and said that, every year, they are disappearing by 4 inches. The last time I drove over the Barkly Highway, it wasn't any further above the level of the surrounding countryside than it was 20 years ago. Maybe it raised itself by 4 inches as well as dropping by 4 inches. That was an example of the layman trying to be an expert on something he knows nothing about.

Mr Speaker, the development of the Territory is taking place during a period in which there is a greater public awareness of the consequences of development on environmental and social amenities. While our technical capability to implement and to teach good land management has improved, there is continuing pressure to have natural resources reserved or set apart from any form of development and utilisation. The World Conservation Strategy says:

> Conservation, like development, is for people. While development aims to achieve human goals, largely through the use of the biosphere, conservation aims to achieve them by ensuring that such use can continue.

Mr Speaker, the National Conservation Strategy for Australia says:

> In order to provide for today's needs, as well as to conserve the stock of living resources for tomorrow, both conservation and development are necessary.

The National Conservation Strategy for Australia has set down objectives and methods for harmonisation of both conservation and development. The Territory government has endorsed this strategy and provides for research and advisory services and regulatory arrangements which facilitate arrangements for the achievement of these objectives. Historically, drought periods in Australia have been the catalyst for allegations of degradation in pastoral areas. In the early 1960s, after one of the biggest droughts in the history of the Alice Springs district, there were allegations that the arid zone pastoral areas were degraded and would not recover.

Actually, I think some honourable members in this House who have been around for a while may recall that some of the experts said the land would never recover. Those who were around in those times would remember the dust storms that used to blow over in the afternoon. The sun would disappear, people were forced to close up their houses, roll up towels to place at the base of the doors and put the air-conditioning on to stop the dust from burying everything not only outside but inside. The sun would go out and it would be as if night had fallen. It was quite understandable that people believed some of the experts when they said the land would never recover. Some people would recall that the return to good seasons in the following decade proved that those allegations were totally unfounded.

I see the member for MacDonnell shaking his head. He lives in the area now. I advise him to talk to some of the old-timers and find out just how bad the situation was in the late 1960s and how many people said that the land would never recover. Whether the change is natural or not, whether it is due to seasonal conditions or not, it is most important to understand the ability of the land to reverse the change.

Mr Speaker, 'land degradation' is an emotional term. It is an in-phrase at the moment. It is broad term which means different things to different people. The Conservation Commission defines 'land degradation' as 'a process of irreversible change which has led to soil erosion and subsequent soil loss'. Recent work by the commission suggests that much of the erosion that is evident to the casual, uninformed observer is either the consequence of natural processes, cyclic in nature, or the result of historical events. An example of natural erosion in the Territory would be the Katherine Gorge. Of course, if the honourable members of the opposition had their way, that would never have occurred.

It would be remiss of me not to acknowledge that there is an accelerated man-induced erosion in specific areas. However, the Conservation Commission is taking action to address that, not simply in the context of man-induced erosion but, more broadly, in the context of landscape change, whether it be man-induced or a consequence of natural processes. Regional soil conservation officers undertake extension and advisory programs and conduct land resource mapping throughout the Northern Territory.

A soil conservation district has been set up in the Victoria River region as a consequence of initiatives taken by the landowners themselves. Cost-sharing projects for range land reclamation are undertaken by the commission in areas of central Australia in conjunction with pastoral

land-holders. Programs of demonstration, cost-sharing and education are carried out under the auspices of the National Soil Conservation Program.

The government agencies involved in all these activities have recognised the need for integrated databases, to give information on the natural resource of the Territory range lands, which are readily accessible to the pastoral industry. It is important for honourable members to be aware that much has been done in this regard and the development by the Department of Lands and Housing of the MAPNET system is considered by both the Conservation Commission and the Department of Industries and Development to be an effective base for the integration of information on which to establish this comprehensive database. The member for Stuart said that we must have some form of data collection. It is being carried out.

This computerised database is capable of reproducing maps electronically and has the capacity to add layers of data in much the same way as transparent sheets are overlaid on conventional maps. The MAPNET system can select the required data and merge it into the sort of map that might be required. These maps can be viewed on personal computers which are connected to the system.

The system's cadastral base, the map showing the pastoral lease boundaries and major features throughout the Territory, is already in place and work is under way to add details such as fences, bores, tracks, buildings and any other improvement that has occurred on each pastoral lease. A recent agreement between the Department of Industries and Development and industry representatives has ensured that the transfer of this and other appropriate and useful techniques to the land-holders will take place.

Mr Bell: Is the CSIRO involved in that?

Mr MANZIE: I will get on to the CSIRO in a little while if you will have a little patience.

Mr Speaker, in addition, the Conservation Commission has established a conservation and recreation values register and that is now being extended to cover most of the Territory. The government's land capability assessment programs will also provide data essential to the Territory's range land resources.

Another issue which must be borne in mind, and it was raised by the members for MacDonnell and Stuart, is the damage caused by feral animals. The Conservation Commission estimates that there are more than 200 000 feral horses - and some estimates go as high as 300 000 - as well as 140 000 donkeys on range lands in the Territory. These are in addition to feral buffalo, camels and rabbits. Feral animals are a major problem in terms of managing the land resource and the government is continually monitoring the feral animal question and investigating ways in which it can be controlled.

It is clear from this information that the government is working in the areas raised by the member for MacDonnell. Certainly, I would appreciate some support for the government's hard work from the honourable members opposite rather than criticism. I believe the work that has been carried out, and not only by the government, is leading this particular area in Australia.

Mr Speaker, the House of Representatives Standing Committee on Environment, Recreation and the Arts has written to the Chief Minister seeking assistance with an inquiry into land degradation in Australia. I believe that was pointed out. The standing committee's terms of reference for the inquiry are as follows:

inquire into and report on degradation, with particular reference to: (a) ongoing causes of land degradation; (b) the effectiveness of policies, programs and practices designed to alleviate land degradation; and (c) measures required to protect the environmental and productive values of the land.

Mr Speaker, that is quite a broad set of references. This government has indicated to the committee that it is prepared to have officers provide assistance to the inquiry. Having made that commitment, it is essential that we do not duplicate the inquiry which will be undertaken by the House of Representatives. As the Minister for Industries and Development pointed out, it would be a waste of taxpayers' money to duplicate such an inquiry.

Mr Bell: Will you table the report when it is completed?

Mr MANZIE: Mr Speaker, I am surprised the member for MacDonnell is unaware of that inquiry into land degradation by the House of Representatives. He has shown such a great interest in the subject that I would be amazed if he did not know about it. If he did know about it, it shows he is paying lip service to the whole question. I would be surprised also if he is not aware of the government's vigorous action in the area of rural land management, given that much of it occurs in his electorate.

Mr Speaker, another matter that I think should be covered is the CSIRO and today's front page report in the Centralian Advocate. It is certainly a broad headline: 'CSIRO Claims Land Damaged'. I cannot sit down before I comment about this article. It reads: 'The CSIRO in central Australia says land degradation is a reality in the Territory. It has called for a new approach by government departments to the declining land condition'. Further on it says: 'The fact that the Northern Territory pastoral lands are in better condition than their equivalents in the rest of Australia is due more to good luck than good management'. One minute it is saying that we have a disaster and will have to change our whole approach and, the next minute, it is saying we have the best system in the country. The mind boggles. Possibly, it is a little bit of journalistic licence. It is pretty important that we are aware of actually what the CSIRO has said. The report in the paper says there is 'evidence that profound changes have occurred in pastoral lands in the Territory over the past 120 years'. Nevertheless, the same reporter claims that our lands are in better condition than elsewhere. I have to question how it all goes together.

I received a letter recently, as did the Minister for Industries and Development. It was from Dr Pickup, who is the officer in charge of the CSIRO's Centre for Arid Zone Research. This is the same group that reported in the paper. I will quote part of the letter only, because my colleague did quote the particular paragraph: ' ... it has not been technically feasible to distinguish between natural and grazing-induced erosion, so no credible surveys have been done'. In other words, CSIRO has said: 'Look, it is impossible for us to quantify anything in relation to land degradation, pasture grazing and the pastoral industry'. It just cannot do it. Well, that's fine; that is something that needs to be addressed.

Mr Collins: They could do all the study for us. We could provide money.

Mr MANZIE: We have been asked if we would be willing to fund a study by CSIRO, which would put the technology, database and experience at our disposal to provide objective information on the land degradation issue.

As I said, CSIRO has asked us to fund the study. Perhaps I should table the letter from the CSIRO to me, which points out that its officers are not able to quantify the problem but that they have asked for assistance, in terms of finance, to look at and provide possibly a satellite-based survey of the grazing lands etc. I table that letter from Dr Pickup, Mr Speaker.

I have some problems equating the CSIRO's public statements, as reported in the Centralian Advocate, with those expressed in the letter I received. On one hand, there are definitive statements about what is happening with pastoral land in the Territory and, on the other hand, I am told it is not possible to distinguish between the causes of erosion on our pastoral properties. I should not be cynical. If I were somewhat cynical, perhaps I would think the CSIRO was trying to get some money out of us to cover a lack in funding by the federal government.

The article in the Centralian Advocate also mentions another area which needs to be covered. It quotes the CSIRO as claiming that Territory government departments have failed to recognise land management problems and that this government lacks a consistent approach to these problems. It seems that people involved have short memories because it so happens that, in October 1986, field officers and senior executives from the 3 departments named in the article held a week-long meeting with CSIRO representatives. The sole purpose of that meeting was to address exactly those questions and to come up with solutions. The meeting was successful in developing a coordinated approach towards land management problems. That has been made perfectly clear by the information that I have given, in speaking to this motion, about just what is occurring, with whom and how.

I do not think that the article in the Centralian Advocate has done very much to advance the credibility of the CSIRO. I hope that a fair amount of journalistic licence was applied in the preparation of it and that, in fact, it is not a correct report of what CSIRO is saying in one area at a time when it is saying something else in correspondence directed to me.

To conclude, I must say that it is not necessary to support the motion by the opposition that this matter be referred to the Sessional Committee on the Environment. That is not just because of the work that has been done and the drawing together of all people involved in the area, but because the House of Representatives is to carry out an inquiry in this regard. We are cooperating in that and have actually nominated a particular officer from my department to provide assistance to that inquiry. To carry out another inquiry would obviously be a waste of taxpayers' money at this time because it will not achieve any more and probably would achieve less than measures already being undertaken and what the House of Representatives' inquiry will achieve.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I rise briefly to recall and try to paint a picture for you and honourable members here of an experience that I had in 1971 after being in Alice Springs for 12 months.

I made the acquaintance of the people out at Ringwood Station through having taught their daughter at school. In January of 1971, with a geography teacher friend of mine from down south, I went out to Ringwood Station, which was in the grip of a reasonably localised drought. The country looked absolutely devastated. That was the only way to describe it. You could hardly find a blade of grass anywhere. The few cattle that were left were existing on the top cover - as the station people called it - of the leaves of the trees. There were no young trees left. That has always concerned me because there are still not many young trees there and I wonder what will

happen in the future when the old trees finally die. The station people will have to try to find ways and means of protecting young trees so that they can provide the shelter which is obviously necessary.

As I said, the country looked totally devastated, just sand and dust and the few thin cattle. It looked as though there was absolutely no hope for it to ever recover to any extent. That was the feeling that we had.

About 15 months later, in March 1972, there were big rains in the Alice Springs area and Ringwood Station had 13 inches over a weekend. I went out there again a couple of months afterwards to find grass 3 feet high, a lake 8 miles by 5 miles and every form of bird life that you could dream of. It was an absolute paradise. I have come to the conclusion that the capacity of the land to recover from the most savage conditions, at least in terms of Australia, is very much dependent upon rain. If it comes, the country will bloom.

I have mentioned in the Assembly on 2 occasions over the last week that I believe that one of the things that must be done in areas which are prone to water and wind erosion is to get the machinery out there and start doing what was done so effectively around Alice Springs: thump the ground. Holes must be dug and grass planted - preferably buffel grass, with its magnificent root system. It seems that, even when it appears to be quite dead, with just a little humidity it has the capacity to send up green shoots. It is a great aid for pasture improvement in the Territory. Also, it holds the soil together, and therefore 2 aims can be achieved at the 1 time. That is something which is practical.

Getting back to the motion about referring these matters to the Sessional Committee on the Environment, this is a huge problem. If the CSIRO with its resources is having trouble coming to grips with it, as seemed to be demonstrated by the ambiguity between the report in the Centralian Advocate and the letter received by the honourable minister, I really don't think we are the experts who should run around telling the pastoralists just what they should do.

Mr Bell: We are not the experts on uranium mining either.

Mr COLLINS: Some of us used to be fairly clued up on the subject though, I can assure you.

I just think that not a great deal would be achieved. I wonder also just how much the committee coming from the federal parliament will achieve. Certainly, it will rush around and I will be very interested to hear its reports.

It is things like the rain which will restore the country. We can play our part by planting appropriate grasses which will improve the pasture and hold the soil against erosion by wind and heavy rains.

Mr BELL (MacDonnell): Mr Deputy Speaker, I will try to be unemotional about this. It really does become frustrating when a proposition is put forward by the opposition in a positive manner on a general business day and it is mindlessly rejected by the government. Let me respond to members' comments point by point. I will pick up the last one first that was so heartily endorsed by the minister for mindless energy. The member for Sadadeen said that ...

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

Mr BELL: Mr Deputy Speaker, I will certainly refer to the member for Palmerston by his correct title but the mindless energy of the Minister for Mines and Energy often leaves me breathless. The fact of the matter is that this legislature would be enhanced by a reference like this.

The Minister for Industries and Development seemed to be suggesting that another committee ought to be set up. You, Mr Deputy Speaker, myself, the member for Casuarina and the member for Katherine are members of the Sessional Committee on the Environment. I am suggesting that members of this existing committee, which has powers conferred on it by this Assembly to take into consideration matters relating to the environment, would do well to take this motion seriously, particularly since it relates to what is becoming a public issue. I am not suggesting that vast amounts of public money be expended. I do not believe that what would essentially be an information-gathering exercise would do anything other than enhance the reputation of this Assembly and its desire to do the right thing.

I know that the reference with respect to the Ranger and Nabarlek mines is a sore trial and a pain in the neck for the Minister for Mines and Energy but the fact is that that is an appropriate concern. It is a high profile public issue, as is the issue of degradation of the pastoral resource or the allegation of degradation, to use the terms of the motion. I am not assuming that degradation exists or is widespread because, as the Minister for Industries and Development so gallantly applauded me for pointing out and as the Commonwealth Scientific and Industrial Research Organisation states, the information base with respect to this particular issue is incomplete. I suggest that a responsible government would endorse a proposal like this, and I am frankly sickened that this proposal is being rejected.

I need say no more about that. However, let me talk for a minute about the extent of degradation. The Minister for Industries and Development, the Minister for Conservation and the member for Sadadeen all suggested that degradation does not occur. I think the Minister for Industries and Development tried to make a case for saying that it did not occur, but he reluctantly admitted that the GRM study says it does occur. That is a study which he tabled in this House and therefore I do not suppose he is about to disagree with it.

He made the point - and I will take him up on it - that change is not necessarily degradation. I refer him to his mate's Rural Land Use Advisory Committee. All he needs to do is refer to my opening speech in this debate. The plain fact is that fodder plants, in the view of the CSIRO, are of lesser quality than they were. That is more than change; that is degradation. It may be a matter of degree and there may be some value judgments involved but I point out that, if you say either that it does not occur or that it is all only change, you are saying that the CSIRO is not doing its job.

I have not had the opportunity to see today's Centralian Advocate. If that article appeared in today's paper, I will be interested to see it. I am sure a certain degree of journalistic licence would have been employed in the writing of the article. However, I draw the attention of honourable members once again to the submission which the CSIRO put forward to the Rural Land Use Advisory Committee.

Mr Deputy Speaker, if you are in any doubt about whether land degradation exists, let me indicate the views expressed by one of the Northern Territory government's own pastoral inspectors. Let me point to the evidence given by Mr Graeme Hockey to the Warumungu Land Claim inquiry which actually reinforces the point that it is not a widespread problem, although he was able to quantify it. I am surprised that no government minister has been able to come up with this. At page 5125 of the transcript, when asked about the magnitude of the problem, Mr Hockey said: 'There are not a great many properties that are affected - about 6 out of 240'. That does not mean that there are none.

In case honourable members imagine that there is no problem in this regard, it is probably worth pointing out also some of the other problems that indicate that the government's attention to this problem, and the government's use of the Rural Land Use Advisory Committee, suggest that processes of government in the Territory would be enhanced by this reference to the Sessional Committee on the Environment. You will recall, Mr Deputy Speaker, that we were to have a matter of public importance debate about this last year when it first became a public issue, but the Attorney-General squibbed it and said it was sub judice. Some aspects of the matter were sub judice.

Mr MANZIE: A point of order, Mr Deputy Speaker! The member for MacDonnell is raising a matter which has been ruled upon in this House by the Speaker as being sub judice. By his comments now, he is reflecting on the Speaker's decision regarding the matter. It is totally inappropriate for him to do so.

Mr BELL: Mr Deputy Speaker, the Attorney-General is talking nonsense. The decision in the case to which he refers, as he should well know, was handed down several months ago and the matter is no longer sub judice. My comment related only to his obvious lack of intellectual elasticity in being unable to distinguish the questions of government and the judiciary that were involved as opposed to the pastoral management issues. There is absolutely no point of order.

Mr HATTON: Mr Deputy Speaker, I would like to address the point of order. Whether that matter is no longer sub judice or not is not the issue in question and no one is disputing that. The issue here is that the member for MacDonnell, by accusing the government of having squibbed the issue by claiming it was sub judice, has impugned the ruling of the Speaker and therefore is totally out of order. That is the point of the point of order. It relates not to the fact that he is discussing the matter but that he is reflecting on a decision the Speaker made at the time.

Mr DEPUTY SPEAKER: There is no point of order on the matter of sub judice. If the honourable member is reflecting on a decision of the Chair, I ask him to withdraw.

Mr BELL: Mr Deputy Speaker, I withdraw any suggestion that I was reflecting on a decision of the Chair. I certainly was not; I was reflecting on the sensitivity of the government in raising the point of order and not the decision itself. If there is any imputation that I may be criticising the Chair, I unreservedly withdraw.

Mr Deputy Speaker, let us look at what happened in the Warumungu Land Claim. Let us look at the outrageous behaviour that the Chairman of the Rural Land Use Advisory Committee and Chairman of the Country Liberal Party displayed towards one of the government's employees - and the minister who debated this subject seemed to have entirely ignored this. Let us talk about

the fact that Graeme Hockey, in order to carry out his statutory duties as a pastoral inspector, had to be accompanied not only by the lessee and his own superior officer, but also by the lessee's solicitor. This occurred during the inspection for compliance under a default notice on the Singleton Station lease. Bear in mind that, later, the transcript of proceedings in the Warumungu Land Claim inquiry indicated that even Mr Gargan, who was desperately trying to apologise and cover up, confessed that pursuance of a default notice was an unusual process to be carried out on Singleton Station.

Let us look at one further thing. Why don't we have some comment from the government members about the direction issued by senior officers to amend reports that had been prepared by the professional officers of the honourable minister's department? Why don't we hear a little bit of comment about that? They wonder why we seek to have these matters referred to the Sessional Committee on the Environment. How can they suggest that there are no issues of concern when a pastoralist, in this case the Chairman of the CLP, is able to defer at will an inspection which is supposed to be made under legislative authority. Mr Hockey said at one point in that particular hearing: 'I probably drove 4000 km or 5000 km last year needlessly to do inspections at Singleton, and they were called off each time'.

There are 2 issues here, Mr Deputy Speaker: the manipulation of the system of invigilation of lease covenants, and the cost of the inspector having to travel unnecessarily. I hope that, at some time, this crowd, this pack of backwoodsmen, will be able to answer these questions.

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

Mr BELL: I unreservedly withdraw, Mr Speaker.

Let me just point out some of the comments made by the Aboriginal Land Commissioner. The Aboriginal Land Commissioner was told of the difficulties in gaining access to Singleton Station:

> His Honour: But yours is a policing function essentially?
>
> Mr Hockey: That is correct.
>
> His Honour: So you are required to give a thief 3 months notice before you inspect the burgled premises?

Further on, there is a comment from the Aboriginal Land Commissioner:

> His Honour: It just makes a joke of the whole system of pastoral inspection.
>
> Mr Hockey: That is right.

Let us not try and kid ourselves, Mr Speaker, that there were no problems that needed to be addressed there.

Mr Hatton: There certainly were, and they were dealing with staff practices.

Mr BELL: I will pick up the interjection from the Chief Minister because he is the leader in this 3-ring circus. He is the bloke who was the Minister for Lands at that stage. Mr Speaker, what I want to know from the Chief Minister is why he has never bothered to make a statement to this House about

the incredible and damning details that were raised in that land claim hearing that relate to what the Aboriginal Land Commissioner called 'a joke' - the pastoral inspection system. Never has the Chief Minister felt the need to get up and defend that in this Assembly, and then he wonders why this government is regarded as a laughing-stock out there. He wonders why people down south just take us as a joke. We have a big parliament for a small population, by comparison, and they say: 'Goodness me, why waste our money?'

Mr Hatton: You are talking nonsense.

Mr BELL: What I am saying is that if we, as a legislature ...

Mr Hatton: Give the rest of the story and be honest for a change.

Mr BELL: ... are not prepared to take this on and are not prepared to show a little bit of responsibility, a little bit of maturity, by having this issue referred to the sessional committee and showing people that we are prepared to deal sensibly with issues like this, I will tell you what ...

Members interjecting.

Mr SPEAKER: Order!

Mr BELL: Let me just point out a few more of these references for the benefit of the Chief Minister. In reference to 'the joke' of the whole pastoral inspection system, the Aboriginal Land Commissioner said: 'A joke apparently endorsed by Mr Hatton when he was minister'. Mr Hockey replied: 'Yes, it is more than endorsed now. It is encouraged'.

There are some real problems here. I deliberately did not introduce this material at the start of this debate because I thought that, if I laid out the less damning material, the government might be prepared to accept a sensible proposal. However, this is the hard edge of it. This is why these people are regarded out there as fools who stagger from one crisis to another.

This matter concerns the President of the CLP, the manager from Singleton Station, and these people - who pretend to be a responsible government - are not prepared to examine the issues involved. Let us just look at this Mr Speaker. Mr Hockey, a highly-qualified pastoral inspector whose objectivity has never held up to question, said ...

Mr Hatton: Wrong.

Mr BELL: ... that Singleton Station - and I am using his words - had suffered '20 years of neglect'. He referred also to the new manager, Mr Debney, who had 'greatly improved it'. I find that surprising. I assumed that the President of the CLP had bought the property only recently, had put in Mr Debney as manager and was not himself responsible for the 20 years of neglect. But how long has the President of the CLP owned Singleton Station? For 20 years, Mr Speaker!

I think I have made my case and that it shows governments elsewhere in this country what an irresponsible pack of managers these characters are. In fact, my final word is this: there was reference to questions of degradation as a result of feral animals in the Northern Territory. In my experience, the most remarkable feral animals in the Northern Territory are CLP politicians.

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

Mr BELL: Mr Speaker, I withdraw that remark. Can I rephrase it in this way?

Mr SPEAKER: Order! The honourable member will ...

Mr BELL: I withdraw unreservedly, Mr Speaker. Let me just say that the only feral creatures in the Northern Territory are CLP politicians.

Mr SPEAKER: Order! The honourable member will withdraw that last remark, and I warn him, without debate.

Mr BELL: I would like a ruling on that. I mean a creature ...

Mr SPEAKER: The honourable member has one last chance or I will name him.

Mr BELL: I withdraw it unreservedly.

Motion negatived.

LOCAL GOVERNMENT AMENDMENT BILL (Serial 74)

Continued from 22 October 1987.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, the bill presented to us by the opposition proposes to rectify, for municipal councils only, a difficulty that we are all aware of and which has meant that municipal council aldermen wishing to stand for the Legislative Assembly have had to resign their council positions, leading to the necessity for council by-elections. There has been concern about the cost of that.

The mechanism involved in the bill purports to remove the entitlement to reimbursement of allowances of a municipal council member from the day before nomination until the poll is declared or the member ceases to be a member of the Legislative Assembly. In this way, the bill accepts that 1 person can hold elected office simultaneously at local government and Territory government levels as well as avoiding the need for by-elections, which can be particularly wasteful if the candidate is not elected to the Assembly.

Mr Speaker, that would appear to be a 'quick fix' for something that is quite clearly a problem here in the Territory. However, as I said, the bill only relates to municipal councils. It overlooks community governments. It might be argued that community governments are not affected, but members of community governments who seek election to the Assembly are currently in the clear only because they do not receive any reimbursement at present. That is not a position that has been legislated; it was set by a former minister and could change at any time. If legislation like this is to proceed, it is essential that it should cover all levels of local government.

There has been a conflict of legal opinion as to whether this proposed bill would have the effect that is intended. I have some concerns in that regard. Quite clearly, the government has a philosophical concern with the idea of people being able to serve on a council whilst also being a member of this Assembly. There is a clear conflict of interest involved in that. We could have a situation where a member of a council or even a mayor could also

be the Minister for Local Government. I see a clear conflict of interest there. I have a problem with any bill that would affect the Local Government Act in the Northern Territory in that way.

Of course, apart from local government areas and community government areas, there are other paid positions involved; people receiving sitting fees, for instance, and paid members of boards. People in those positions would also be affected by these provisions. They are not affected by this problem with the act. In fact, they are not regarded as being important enough to be picked up here, but they should be considered in an overall view of the Local Government Act.

There is some conflict with federal legislation and we need to check thoroughly to see that we are not in any way causing any problems in that regard.

Mr Smith: Well, have you?

Mr McCARTHY: Yes. Mr Speaker, we have the entire Local Government Act under review at present. When the Local Government Bill was put through this House, we agreed that the act would come under review after a period of time. That review is under way and a series of amendments is being considered. Most of them are fairly minor but this area is of some concern and is being considered as a part of our overall review of the Local Government Act.

In the not-too-distant future, I expect to be able to bring to the Assembly a list of proposed amendments to the Local Government Act that will tighten it up and generally improve it. As I mentioned, some minor issues are causing some concern. We need to provide relief in those areas and we wish to effect that in the context of this review of the whole act. That will include eligibility provisions framed in a way that, we hope, will avoid unnecessary by-elections. I am not saying that they will eliminate the need for any by-elections in that context. There will be times when council members will decide to resign in order to face an election and will have to be re-elected if they wish to go back on the council. We want a watertight result. We do not want something that we are not totally sure of.

As I said we have had conflicting opinions on whether, in fact, the proposal put forward by the opposition would work ...

Mr Smith: What are they? Table them.

Mr McCARTHY: The proposal that will eventually come here will be quite clear and unequivocal. I do share the opposition's concerns, Mr Speaker. There is a need to look at this particular part of the Local Government Act and to try to overcome the obvious problems which arise if a member of local government seeks election to the Assembly - and there is no doubt that members of local government ought to have that right. When that occurs, however, we need to see that the council affected does not have to bear too great a cost.

Mr Speaker, as I mentioned earlier, my major concern is with people attempting to serve 2 masters. I don't believe that is possible nor do I believe that it is good. If we allow that to become the norm, it is likely to cause a great many problems in the Territory. When I propose amendments to the Local Government Act, they certainly will not have a provision under which a member of a local government body could also be a member of the Assembly, regardless of whether that person is being remunerated by the council or not. People should not be able to simultaneously serve both levels of government.

In so saying, I oppose this bill and foreshadow that I will be bringing a list of other amendments to the act in the not-too-distant future.

Mr EDE (Stuart): Mr Speaker, I note that the honourable minister who includes local government amongst his portfolios has put himself in direct opposition to the Local Government Association, which supports this bill very strongly. I note that the honourable minister stated that he believes that local government members should have the right to stand for parliament. I note also that he says this should not cost too much. He said that a person could not serve 2 masters. How he is going to combine those quite disparate points of view in any one piece of legislation, I do not know. There is no way in the world he will be able to do it. We know the cost that is involved when a person resigns from a local government council to stand for parliament, necessitating a council by-election. We know the extraordinary amount of money involved.

The question of whether a person can serve 2 masters does not arise. In government - whether it be the honourable minister's party or our party - the Chief Minister has the ability to allocate portfolios. Obviously, if there were any possibility of a conflict of interest, the Chief Minister of the day would take that into consideration when he allocated the portfolios.

If it is felt that we are breaking new ground, a quick look around Australia will reveal numerous examples of people who are members of councils - even mayors - whilst also serving as members of parliament.

We have a small population. We should stop belabouring the point and we should stop lumbering the taxpayers of the Northern Territory with more and more politicians. If one of the members opposite, representing a pocket-handkerchief electorate, decides that he would like to be a local government representative as well as an MLA, I do not see why the decision should not be made by the people. Why can't we trust the people on this issue? Why can't we allow them to make the decision as to whether they want their local member of parliament to be an alderman or an alderman to be a member of parliament? What is wrong with that? What is wrong with allowing the constituents to make the decision? If members opposite are unable to put their point of view to the electorate during an election, that is their problem.

The minister made the ridiculous statement that he could not support the amendment because there was a possibility that changes might occur in the administration of community government and that the bill would not encompass those changes. The fact is that the amendment relates to the law as it exists now. If the minister has some foreknowledge of changes to the way community government is administered, he could introduce an amendment which allowed for such eventualities as remuneration to members of community governments and so on. I am quite sure that we would have accepted such an amendment. That was all the minister had to do. How long has he had to arrange that? The government has had 3 months notice, yet it has been unable to come up with a simple amendment schedule to take that matter into consideration. The minister should take a look at himself and decide whether he is capable of carrying the administration of his function if he cannot organise a simple amendment like that.

Mr Speaker, for some time I have been pursuing the issue of amending the Self-Government Act. I have had correspondence with Senator Tate, the previous Commonwealth minister responsible, and Senator Rae, who now has the responsibility. I am seeking an amendment to the Self-Government Act which

would have the effect of rectifying the problem. It takes a long time to get legislation through the federal parliament and I would have preferred to have been able to rectify the problem in our own Northern Territory legislature rather than having to go off to Canberra and ask the federal government to fix the mistake. We all agree that it has to be fixed. We know that the problem arises under the Self-Government Act but we also know that we can rectify the problem for the time being.

Why don't we fix it? The minister says that there are conflicting views. If he has been unable to resolve a few conflicting views in the time that he has had, I very much doubt his decision-making power. It is the old story. Whenever we raise an issue, the government says that it is investigating it. We are told that we are just knocking the government, because it is reviewing the situation. The next time we raise it, we are told that a committee is looking into it. Then the government produces a consultant and says it is waiting for his report. When that is completed, it has to review the report. Then the report has to go to Cabinet, which then has to look at the implementation of the decisions. It just goes on and on and on! Whenever the opposition comes up with a simple means of fixing up a basic problem to assist the freedom of the individual and to free up the democratic system in the Northern Territory, we hear about the need for reviews and reports. If, on the other hand, it is a matter of clamping down, of grabbing the ordinary Territorian by the throat and pushing him a bit further into the mire and restricting his freedoms, the government rams it through.

Mr SETTER (Jingili): Mr Speaker, what compassion! I wonder if the member for Stuart has approached Barry Cavanagh and paid his Actors Equity union dues this year. I understand that, every time there is an ALP conference, Mr Cavanagh runs around and signs a few people up. I wonder if he has signed up the member for Stuart.

Mr Speaker, I would like to commence my contribution to this debate by quoting from the speech of the member for Arnhem when he presented this bill on 22 October 1987. He said:

> Section 21(1)(a) of the Northern Territory (Self-Government) Act makes holders of paid public office ineligible to nominate for election to the Legislative Assembly. This means that local government councillors must resign from their council positions prior to nomination or election to the Assembly. While holders of other paid public office are also required to resign prior to nominating, we have decided only to raise the issue of local government.

He went on to say that the 'provision affects a large number of potential candidates'.

Mr Speaker, this is a blatant move to advantage councillors of municipalities. It ignores councillors who operate in community councils and that is quite significant. It also ignores those people who hold other public offices, such as people on boards or in other organisations which are covered by the relevant legislation. Section 21(1) of the Northern Territory (Self-Government) Act of 1978 also relates to those people. It says:

> A person is not qualified to be a candidate for election as a member of the Legislative Assembly, if at the date of nomination - (a) he (i) holds an office or appointment (other than a prescribed office or appointment) under a law of the Commonwealth (including this act) or a law of the state or Territory.

Mr Speaker, the opposition is targeting one particular group of people which is covered by the Northern Territory (Self-Government) Act: that is, people who are members of municipal councils. It ignored everybody else. There is a very good reason for that and I will come to it in a moment.

The opposition has also indicated that it believes that it would be quite simple for people to hold 2 offices. For example, a person could be elected to a municipal council and then to the Legislative Assembly and could hold both offices. Mr Speaker, I put it to you that, whilst there are many examples around this country in which that situation occurs, it is totally impossible for a person to carry out both roles efficiently and effectively. I know from personal experience, and I am quite sure that the member for MacDonnell knows equally well, how demanding it is to be a member of the Legislative Assembly. If, at some time in the very distant future, he happens to become a minister, he will realise how impossible it would be for a minister to perform simultaneously the duties of a municipal councillor. It is totally impractical and absolutely impossible. Some people do it, but do they do it effectively? I say that they do not, Mr Speaker.

Mr Dale: And they collect all the dough for both of them.

Mr SETTER: They get paid for both functions. That is correct.

Mr Bell: Sit down and I will tell you what the facts are.

Mr SETTER: The member for MacDonnell is running true to form. He has not changed.

Mr Speaker, the opposition's bill states that municipal councillors would cease to be paid as such on the day of their nomination to stand for the Legislative Assembly. If they are not elected to the Assembly, they commence receiving their pay as municipal councillors once again. They are, therefore, disqualified from receiving that pay for a short period. They are, however, given some advantage. The current situation is that aldermen who wish to stand for the Legislative Assembly must resign from the council. We all know what happened in the council by-elections which followed the Legislative Assembly election last year. Of the councillors who resigned to contest the Assembly, I do not recall one who was re-elected to a council position. That is because people in the community thought that they had not performed properly in their roles.

I can understand why the opposition wants to amend the legislation. One of its darlings of the left, the fellow who organises banner-waving and street marches and is often seen outside the Legislative Assembly on the speaking end of a loud hailer - in fact, he was there today - had some difficulty in making up his mind last time around whether or not he should stand for the Legislative Assembly. He was, and still is, a member of the Darwin City Council and he was preselected for the seat of Port Darwin. He got cold feet about that because he could see the calibre of the person he would have stood against. He then considered moving to Ludmilla. He looked at the Country Liberal Party candidate there and it was not long before he got cold feet again and pulled the pin. The Labor Party scratched around at the last minute to come up with a candidate in Ludmilla because it could not find anybody who was prepared to stand there. Of course, I am talking about Alderman Jamie Robertson, that well-known stalwart of the left wing of the Labor Party.

Mr Speaker, we all know that members of community councils are eligible to stand for election to the Legislative Assembly. In fact, one such person is a

member of the Assembly at present, although he has been excused from attending this week because he is on other very important business overseas. I understand that, at the time of his election, the member for Arafura was the Chairman of the Tiwi Community Council on the Tiwi islands. He was not prevented from nominating, because that particular office did not attract any remuneration. He was not paid for doing the job and, in consequence, was eligible to stand for election to the Legislative Assembly. He was elected and is doing a fine job representing the people of his electorate.

Mr Bell: Hear, hear!

Mr SETTER: Mr Speaker, this is rather a complex matter. It is not a matter that we can consider lightly, as the opposition is proposing that we do this evening. I have read through the second-reading speech of the member for Arnhem, which he presented in October 1987. For the life of me, I cannot see any substance to the opposition's argument whatsoever. It is a matter which we need to address in some depth because, as I indicated earlier, it involves not only Northern Territory legislation but also Commonwealth legislation. It has to be given due and proper consideration. It is not a matter that we can rush into lightly. It is something that we have to address very carefully. We have to look at a whole range of matters.

As the next Legislative Assembly election is something like 3 years away, there is no real urgency attached to the matter at all. I cannot see any reason why the opposition wants to bring the matter forward in such haste. We have plenty of time to consider it appropriately.

Mr Speaker, I do not support the bill.

Mr DONDAS (Casuarina): Mr Deputy Speaker, I rise to ask the honourable sponsor of the bill ...

Mr Setter: He is not here.

Mr DONDAS: I find it quite strange, Mr Deputy Speaker, that when one has something to say the honourable members opposite are so rude that - I don't believe that they should even be here.

I would like the sponsor of the bill to answer a question. How does he overcome this problem? I would like to know this evening if possible. If one looks at the principal part of the Local Government Act which relates to qualification for election as a mayor and an alderman, it stipulates who can be qualified and who cannot be. In terms of a person becoming an elected alderman and then standing in an Assembly election, can he then bypass the stipulation that a member of the Northern Territory Legislative Assembly, in contesting a poll, must be an Australian citizen whereas, in respect of being an alderman, he only has to be a ratepayer and resident? I would like the Leader of the Opposition to clarify that point on the qualification status of one's citizenship, in accordance with the qualification for being a member of the Northern Territory Legislative Assembly.

We would all remember, Mr Deputy Speaker, the trouble that we had recently in the Barkly electorate when a particular candidate had put his name forward for preselection with the Australian Labor Party, was preselected and, subsequently, was able to contest the Legislative Assembly elections. If, for example, a person were elected as an alderman to the Tennant Creek Town Council, would that automatically qualify him to become a member of the Northern Territory Legislative Assembly, if he were so elected?

Mr Bell: No.

Mr DONDAS: I want to ask the question; answer it.

Mr BELL (MacDonnell): Mr Deputy Speaker, I will answer the question very simply. Citizenship ...

Mr Dale: It is the only way you could possibly do it in the Assembly.

Mr BELL: Probably that is quite right. I don't think I could explain anything simply enough for the Minister for Health and Community Services. It is fairly difficult to pitch things at a level accessible to people with an IQ of 50.

The obvious response to what the member for Casuarina has to say about citizenship is that, if there were conditions for serving at 2 tiers of government, in order to serve at either one of them, the criteria of both would need to be met. The answer concerning this hypothetical immigrant alderman is that he has to take out citizenship before he can nominate for election as a member of the Legislative Assembly. It is as simple as that. The fact that he is not debarred by his aldermanic status from becoming a candidate for a Legislative Assembly election has nothing to do with his immigrant status.

Really, the response of the government on this has been appalling: in fact, it has been appalling all night. Government members have managed to maintain their continuing low level of generally unintelligent performance. Either they do not have any speech notes at all and they rabbit on for a while or they read prepared speeches. It is really quite appalling, absolutely woeful.

There is one other matter I want to lay to rest and I want to make 2 points in relation to it. We run a fully-blown state government in the Northern Territory and we do so for a population which is the size of a grand final crowd at the MCG. I am not making the same assumptions on the basis of that as the federal Minister for Transport and Communications but I am saying that, because we have a fully-blown state government for 160 000 people, we have a responsibility to make sure that we have economical arrangements between the second and third tiers of government.

The questions of conflict of interest between serving at the second and the third tier of government are the same as questions of conflict of interest in other areas. If the Minister for Local Government and the member for Jingili want to talk about conflicts of interest, I suggest they talk to a few of their mates on the frontbench about issues that have arisen in that regard in the past. The plain fact of the matter is that it is an absolute furphy.

Mr Dale: Give us the logic of your argument. You have used a lot of words there, but put some logic in it.

Mr BELL: I'm sorry. I will try to use words of 1 syllable for the sake of the Minister for Health and Community Services.

Mr Dale: Yes, come on. You can't get out of it that easily.

Mr BELL: Mr Deputy Speaker, I appreciate that the Minister for Health and Community Services finds the simplest concepts difficult to grasp but the fact is that questions of conflict of interest that have been incapable of

resolution have never arisen anywhere around the country. We have a responsibility - and look at the pocket-handkerchief electorates some of these blokes serve! Most of these blokes on the government benches serve Legislative Assembly electorates that are smaller than aldermanic wards.

Mr Dale: What is your point?

Mr BELL: Basically, my point is that we are drastically overgoverned. Australia is overgoverned as a whole and, if Australia is overgoverned, the Northern Territory is hyper-governed.

I only want to make one point in closing. There is a celebrated example that gives the lie to everything the government has said about this bill. We know that, in other parliaments in this country, there are people who serve not only in a third tier of government but also in the second tier of government. They serve in both state and local government. I remind honourable members that there was a Prime Minister of this country who did exactly that. He was a well-respected Prime Minister, sufficiently well-respected to have his photograph sitting in the lounge in the Legislative Assembly in the Northern Territory. The plain fact of the matter is that Ben Chifley was Shire Clerk at Bathurst during the time that he was Prime Minister of Australia. If it was good enough for Ben Chifley, it should be good enough for the likes of the member for Jingili.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, whilst I did not open this debate, I assume from the way other members have remained seated that I will be the last speaker. I will attempt not to excite anybody's sensibilities.

I do not think there is much point in going over all that has been said. It has been said half a dozen times. We are all aware of the issues. In fact, there is a minister in the government whose position was rather obscure for some time because of the conflict between the Local Government Act, the Self-Government Act and the electoral laws. This is an attempt to get over those difficulties and to cure those problems. The most disappointing aspect for me is that the minister has had this bill for 4 months. He has had ample opportunity to draft amendments if he thought our bill could be improved in some way to reflect his preferences or whims. He has made no attempt to do that and I am disappointed about that. I do not know whether or not he is a victim of his department or just a victim of his own attitude.

I realise that this bill will be defeated. I am disappointed at the government's attitude to opposition legislation. It pays no attention at all to it and makes no attempt to accomplish necessary changes to laws. The contributions of government members can be dismissed by virtue of their ignorance of the situation and their lack of intellectual content but the minister's contribution was particularly disappointing because he made no attempt to redress the difficulties that he had with this bill. This legislature suffers because of that sort of approach.

Mr HATTON (Chief Minister): Mr Deputy Speaker, I rise in an effort to bring some sense into the debate. The Minister for Local Government has stated, on behalf of the government, that we do support changes in legislation which will avoid the complications that have arisen as a consequence of the Self-Government Act. Certainly, the opposition has made an attempt to do that. The problem lies with the basic premise of the opposition's bill, which is that municipal councillors who stand in Assembly elections are not entitled to remuneration from the time they nominate as candidates until the poll is declared. Presumably, after that ...

Mr Smith: If they lose, they will be reinstated again as local councillors. If they win, they will not.

Mr HATTON: So if they lose the election, they will get retrospective remuneration, will they?

Mr Smith: No.

Mr HATTON: They will continue to be members of the council without receiving remuneration?

Mr Smith: Yes, if they win. If they lose ...

Mr HATTON: If they lose, they simply become councillors again.

Mr Smith: Why don't you read the bill?

Mr HATTON: I have it in front of me, Mr Deputy Speaker.

The minister has sought a legal opinion on this matter and has received 2 conflicting views. One says that this provision may work at law and the other seriously questions that.

The second issue which concerns the government is the presumption in this legislation that a local government member who is elected to the Northern Territory Legislative Assembly would continue to hold his local government position.

Mr Bell: What is wrong with that?

Mr HATTON: This government is firmly of the view that a person should not hold office consecutively in local government and in the Northern Territory government any more than one should consecutively hold office in both the Northern Territory parliament and the federal parliament. Whether or not Ben Chifley happened to be Shire President of Bathurst while he was Prime Minister during the war years ...

Mr Smith: He was not Prime Minister during the war years. Don't you know your Australian history?

Mr HATTON: Immediately after the war, Mr Deputy Speaker.

Mr Bell: I know you ratted on the Labor Party, Steve, but I did not know you forgot history as well.

Mr DEPUTY SPEAKER: Order!

Mr HATTON: Mr Deputy Speaker, I will not deal with that particular matter. I am not going to debate the details of history. Certainly, in the 1940s, the reality was that a person could not carry out both the job of Shire President of Bathurst and Prime Minister adequately and fully at the same time. One job would have had to suffer and under those circumstances I would imagine that it would have been that of Shire President of Bathurst. That, however, is irrelevant to this particular argument. Today it is our view that it would be inappropriate to hold 2 such offices. There are often times when there would be conflicts of interest between those 2 elements.

Mr Deputy Speaker, the minister has already stated that we intend to address this issue. However, that will be done in the context of a complete review of the Local Government Act. Our government will not be supporting a proposal that will provide for a consecutive holding of office in both local government and the Northern Territory Legislative Assembly.

Mr Bell: You mean contemporaneous.

Mr HATTON: And for that reason, we will oppose this legislation. When we introduce our amendments, we will ensure that what we do will be legal and enforceable.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, we are talking about the problem of aldermen having to resign to contest Legislative Assembly elections. The Chief Minister is saying that the government's position is that this legislation will not resolve the problem. I accept that. But let us get it clear. If he objects to it in principle, the problem will always remain. I want that to be placed on record.

Motion negatived.

MOTION
Noting Report of Public Accounts Committee
on Actual and Contingent Liabilities of NT Government

Continued from 24 November 1987.

Mr PALMER (Karama): Mr Speaker, firstly, I would like to place on record my thanks to those persons who contributed to this debate.

I would like to place on record my disappointment in the member for Barkly who chose not to contribute to this debate following a number of newspaper articles in which the member for Barkly chose to: (1) denigrate the report; (2) denigrate the Public Accounts Committee; and (3) spread untruths and misinformation in the community about the state of the contingent liabilities of the Northern Territory.

Lastly, I was disappointed in the fact that the Deputy Leader of the Opposition again could not help himself, but came out and slandered and denigrated Australians and investors.

Mr EDE: A point of order, Mr Speaker! If the honourable member wishes to make those allegations against myself, he can do so by moving a motion in this House, and I will debate him on the matter that he is putting. He is not allowed to make assertions of that kind against myself in the course of this debate.

Mr SPEAKER: The member for Karama will withdraw that remark.

Mr PALMER: Mr Speaker, which remark? Which remark proved offensive to the sensitive Deputy Leader of the Opposition?

Mr SPEAKER: The wording by which you implied that the member for Stuart had 'slandered' people and other remarks included in that paragraph.

Mr PALMER: Mr Speaker, I unreservedly withdraw those remarks.

I was disappointed in the Deputy Leader of the Opposition when he chose to cast doubts and shadows on the integrity of leading Australian businessmen and leading Australian financial institutions. For the benefit of honourable members, I will read from Hansard what the Deputy Leader of the Opposition said:

> The whole initial financing deal for Yulara was based on a system of avoidance of taxation. I believe that that is no longer an acceptable method of financing such a project.

Mr Speaker, that is typical of the claptrap which the Deputy Leader of the Opposition comes out with, in an attempt to denigrate each and every person who puts money into or shows any faith in the development of the Northern Territory. Those he chose to cast aspersions upon were the Commonwealth Trading Bank, the National Bank, National Westminster Finance Limited, Capel Court Limited, Beneficial Finance, and James Hardy Finance.

Mr Ede: If they did it today, it would be illegal.

Mr PALMER: The member for Stuart states that it would be illegal if they did it today. Mr Speaker, if they did it today and the Taxation Commissioner agreed with the proposed arrangements, it would be as legal as it was then. With those few words, I thank honourable members for their contribution.

Motion agreed to; statement noted.

PERSONAL EXPLANATION

Mr HATTON (Chief Minister): Mr Speaker, during debate on the Local Government Amendment Bill, I made several comments on the government's position, stating that we did not believe that people should hold office in local government and the Northern Territory Legislative Assembly 'consecutively'. I should have used the term 'concurrently'. I apologise to members for that error which I can only blame on the lateness of the hour.

TABLED PAPER
Standing Orders Committee - Third Report

Continued from 1 March 1988.

Motion agreed to.

LIQUOR AMENDMENT BILL
(Serial 41)

Continued from page 2781.

Mr BELL (MacDonnell): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, this is a relatively unprecedented move but I am quite sure that, in spite of the string of defeats that the opposition has suffered today, this will be the strawberry on the dunghill. No doubt the 16 persons on the other side of the Assembly will collectively slap their foreheads and say: 'Bell has been right all along and, if we had only recognised the solution, we would have accepted it 3 or 4 years ago'.

Mr Speaker, I commence my comments by apologising to all honourable members. As you will recall, I gave notice of motion yesterday and there was a reference on today's Notice Paper to the Liquor Amendment Bill (Serial 89). My attention was drawn to standing orders, which prevent the reintroduction of a substantially similar bill. The strategy that has been employed to ensure that this amendment can be brought on has been to restore it to the Notice Paper, which is possible within the context of standing orders when the motion has been negatived within 6 months. That is what we have done.

Together with the Liquor Amendment Bill (Serial 41), schedule of amendments No 26 has been circulated. I am sure that I do not need to dwell on the contents of the bill or the amendments, both having been debated at length in the past. The opposition intends that the bill, together with the amendments, should proceed through the Assembly in order to ensure that the difficulties experienced with forfeited motor vehicles, which have been the subject of debate on so many occasions in this Assembly, will be eliminated. This can be done by implementing the relevant recommendations of the d'Abbs Report. I refer honourable members to page 159 of that report where 2 steps are proposed: firstly, amendment of the act to provide for temporary impoundment of vehicles as an alternative to forfeiture; and, secondly, transfer of authority over impoundment and forfeiture of seized vehicles to the Court of Summary Jurisdiction, where it would form part of the judicial procedures by means of which magistrates deal with offences under section 75.

Mr Speaker, you will be aware that the second of those provisions was satisfied by the original bill but the schedule of amendments would give effect to the temporary impoundment recommendation of the d'Abbs Report. I should, in passing, offer my congratulations on the professional job done by Mr d'Abbs in compiling the report for the Drug and Alcohol Bureau. I appreciate the effort which was put into the report. I will also foreshadow that the opposition will be seeking urgency for this bill.

I draw the attention of honourable members to an article which appeared in the NT News on 16 February 1988, in which the Northern Territory Ombudsman used the term 'vile and draconian' in relation to red tape which left a vehicle rusting in a police lockup for nearly 8 months. The Ombudsman, who has already been the subject of debate this evening, said that he believed no one in the Northern Territory could support the section of the Liquor Act that provides for the seizure of vehicles carrying liquor into restricted areas. The Ombudsman described it as absolutely draconian. Dr Rhodes was commenting on the plight of a Nhulunbuy school teacher, Mr Graham Mibus, whose Toyota Hilux utility was seized last June after police found liquor in it as he drove to the town. He was subsequently charged with taking liquor into a restricted area, although he said the alcohol was owned by 2 Aboriginal men he had given a lift to. After several delays, Mr Mibus was acquitted last September. The authorities still refused to release his vehicle. Even when the men who allegedly owned the liquor were acquitted, it took another 4 weeks and the prompting of Dr Rhodes to persuade the Liquor Commission to return the vehicle.

This particular legislation was enacted in 1982 by a CLP government and has proved to be an absolute disaster. The d'Abbs Report has suggested what the opposition has been suggesting for 4 years. I propose to seek urgency for this bill at the conclusion of the second-reading debate. I believe that this legislature has been dragged into ignominy through its refusal to change the legislation relating to vehicle seizure. We have been extremely recalcitrant in seeking to remedy what a Supreme Court judge has referred to as legislation with the capacity to inflict 'gross injustice'.

Mr Speaker, I could speak for the 35 minutes which are available to me and regale honourable members with the large number of cases that have been drawn to my attention and the many representations I have received. I will not do that. I simply trust that the government will support this bill.

Mr SPEAKER: I advise the member for MacDonnell that, technically, he does not have to seek urgency for this bill because it has been before the House since October of last year.

Mr COULTER (Treasurer): Mr Speaker, this is basically the same bill which came before this Assembly in October last year. The only change would be the insertion of a new clause 5 which the member for MacDonnell is trying to achieve. Today he has used the same old arguments which he put forward in October. Government members gave this bill their full consideration in October 1987 and, despite the amendment which the member for MacDonnell intends to move, the underlying principle remains the same. The government has the same objections to the bill which it outlined in 1987. The government opposes the bill and is being most generous and tolerant in allowing the opposition to bring it back 5 months after the second reading was negatived. Mr Speaker, I move that the question be now put.

Division called.

Bells rung.

Mr Bell: You blokes said that you were going to implement the d'Abbs Report, but you have done nothing with it. You are making a quid out of it, aren't you!

Mr DALE: A point of order, Mr Speaker! The member for MacDonnell is roaming about the Chamber ...

Mr SPEAKER: Order! The member for MacDonnell will return to his seat. The honourable member is fully aware that interjections or any other contribution to the House's proceedings must be made from the proper place.

Mr DALE: Mr Speaker, it is very difficult for members other than the member for MacDonnell to know what is appropriate behaviour in this House. He has been asked to withdraw various comments throughout these sittings and he has just cast aspersions on honourable members on this side of the House. I ask that, again, he be asked to withdraw.

Mr SMITH: Mr Speaker, I rise to speak to the point of order. The member for MacDonnell said, in his somewhat colloquial manner: 'You blokes are making a quid out of it'. Quite clearly, his reference was not to individual members of the government and it did not imply any improper motives. He was referring to an obvious result of the current legislation: the government impounds motor vehicles which are later sold, with the proceeds going into internal revenue. That is the point that he was making.

Mr BELL: Mr Speaker, the fact of the matter is that there was no question before the Chair. I appreciate that the Minister for Health and Community Services feels sensitive about my remarks but there was no question before the Chair.

Mr SPEAKER: There is no point of order.

The Assembly divided:

Ayes 14	Noes 5
Mr Coulter	Mr Bell
Mr Dale	Mr Ede
Mr Dondas	Mr Leo
Mr Finch	Mrs Padgham-Purich
Mr Firmin	Mr Smith
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	

Motion agreed to.

Mr SPEAKER: The question now is that the bill be now read a second time.

The Assembly divided:

Ayes 4	Noes 16
Mr Bell	Mr Coulter
Mr Ede	Mr Dale
Mr Leo	Mr Dondas
Mr Smith	Mr Finch
	Mr Firmin
	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Motion negatived.

ADJOURNMENT

Mr COULTER (Treasurer): Mr Speaker, I move that the Assembly do now adjourn.

Mr PERRON (Industries and Development): Mr Speaker, I raise a matter that I consider to be somewhat serious. It relates to an honourable member of this Assembly, the member for Sadadeen. Last Saturday, I heard an ABC radio program called This Week in Parliament. On that program, the member for Sadadeen used words that alarmed me. He was criticising the Speaker of this Assembly. I have managed to obtain a copy of a transcript, not of the program that I heard on Saturday morning but of the ABC News delivered at 12 pm on

25 February. The reporter said to the member for Sadadeen: 'The opposition was critical of the Speaker. What is your view of how the Speaker handled the affair?' The reporter was referring to an occasion in this Assembly when there was a motion of dissent from the Speaker's ruling. The member for Sadadeen said: 'Well, he did not handle it with any great authority. He was running to his Clerk the whole time and I think that a Speaker really needs to be on top of his subject'.

Mr Speaker, I think that such words spoken by a member of this Assembly, particularly outside the Assembly, are most unfortunate. They bring this Assembly into disrepute and are unfair to us all. I confess to not being the expert on standing orders that I should be after so many years in this Assembly. However, I have perused them somewhat and do not find a direct reference to members speaking ill of the Speaker or the Speaker's performance other than in standing order 62 which is headed 'Offensive or Unbecoming Words' and which says, among other things: 'No member shall use offensive or unbecoming words against the Assembly or any member of the Assembly'.

It is quite a long reference and honourable members may refer to their own copies of standing orders to read it in full. Perhaps the matter is not in breach of standing orders but I raise it in the adjournment debate because I think it is a convenient time to put it on record. It has not done this Assembly any good at all and it certainly has not done the honourable member any good in my view. I think that he should apologise to this House and, certainly, he should apologise to the Speaker.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, there are a couple of small items that I would like to touch on. One has been raised quite often recently by members of the opposition in an attempt to attack the government's actions with regard to the training of Aboriginal people. I am referring specifically to the community management course that is run at Batchelor College. There were rumours put around late last year, and quite effectively, by members of the opposition that the government intended to terminate that course. That rumour is still being passed around communities in the Northern Territory.

On a visit to central Australia, I was quite disturbed to find that, in almost every community I went to - and these communities were mainly in the electorates of Stuart and MacDonnell - quite mischievous information is still being put about that the community management course at Batchelor College has ceased. A number of people there were concerned because they wanted to attend that course.

Mr Speaker, at the Batchelor College graduation ceremony last year, I made it very clear - and there were certainly members of the opposition present on that occasion - that the community management course at Batchelor College would continue and that the Department of Labour, Administrative Services and Local Government would be funding the course quite extensively. I also indicated that there would be some complementary federal funding and that the Department of Education would also provide funds. I find it quite mischievous That members of the opposition should be telling communities that that course is no longer available at Batchelor College.

I would like to put on record that there is no threat to the community management course. It is an excellent course and it is one that we must run if we wish to improve the standard of management in Aboriginal communities. I have given a 100% commitment to it.

Mr Deputy Speaker, on the Channel 8 News last night there was a gentleman whom I will refer to here as 'the $1000 man'. He claimed that he would be losing the 17½% leave loading and that this would cost him $1000 per year. That is an impossibility to start with, but the man went on to say that he is a shift worker. It is quite clear in the applications that we have made to the Arbitration Commission that we are not attempting to remove the leave loading from shift workers. As honourable members will recall, the annual leave loading was put in place initially to compensate those people who were normally receiving shift loadings for the times that they were on holiday. It then flowed on to other employees. Last year, we made it quite clear during discussions with the unions that there was no attempt to remove the leave loading from shift workers. That is typical of the misinformation that I believe is being put about by members of the opposition and I am concerned that that sort of information is being disseminated. Many of the people who were out there today protesting the 17½% leave loading issue and saying that they were going to lose that benefit, were shift workers, and yet they are in no danger of losing their leave loading.

Mr Smith: Neither are the others, I would imagine.

Mr McCARTHY: Of course, Mr Deputy Speaker, whether or not the leave loading goes is a matter for the Arbitration Commission. As was pointed out by the Chief Minister today, that was always the intent and the unions were well aware of it.

I noted on the TV news last night that the House of Representatives committee which is currently wandering around central Australia has been to Kintore and other places seeking the concerns of communities in relation to training opportunities for Aboriginal people. I have been doing exactly the same thing, and it gives me some heart that the federal government is addressing the issue. In fact, this particular committee will be able to go back and report to the Minister for Aboriginal Affairs and the federal government much the same concerns that I picked up whilst I was down there.

One of the concerns seemed to relate more to the people of central Australia than those in the Top End, although occasionally I picked up this concern in Aboriginal communities around the Top End. That was the confusion that they face because numbers of people who land on their doorsteps are promising and not delivering. When I visit Aboriginal communities, I make the point strongly that I am not there to promise anything; I am seeking their views and attempting to address some of the concerns that they have. I certainly do not go out there making promises. I trust that the House of Representatives committee is not making too many promises.

It is very confusing for Aboriginal people to have so many different people arriving in their communities, asking the same questions and seeking answers. Often those people do not wait around long enough to get the right information. I will be following up all visits I make and doing so on a fairly regular basis. I know that will be hard work, but I intend to do exactly that.

I want to make a final point before I sit down, and it concerns an editorial in the latest production of the magazine put out by the Master Builders Association. I do not want to react terribly strongly to the comments made there because I think they were ill-considered. Perhaps, if I took the time to go out and talk to the person who wrote that editorial, I could change his mind about some of the things that were said. The editorial claimed that there were still very large areas of the public service that were

in turmoil and that there was no cooperation between the public service and industry at present. Having talked to the people responsible for the Master Builders Association in very recent times, I find it very difficult to believe that people are still making those sorts of comments.

Excellent relations are building up between industry and the public service. Certainly, my department is attempting to cement relations with industry. We have had some very valuable input from industry in recent times, with the school-leaver initiatives and with other training and school programs that we are attempting to put into place. I find it most unhelpful that a magazine should make these sorts of comments at this particular time. It is no wonder that, at times, our public servants get the impression that they are being knocked when a magazine of some standing in the community serving a group of people of some standing in the community makes these sorts of accusations.

I intend to go and talk to the Master Builders Association about this matter because the comments have been going on too long. These people say they want to help the public service get back on its feet, and then they go behind the scenes and make these comments. I think that is most unhelpful, and I shall certainly take it up with the organisation personally. I thought I would raise it here this evening because I wanted to strike while the iron was hot.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I want to raise a number of issues tonight, the first being the hoary old chestnut of Carpentaria.

Last night, the member for Araluen pointed out something which I basically agreed with: that all political parties have companies which, if we put it honestly, are out to launder the funds of people who donate to them for whatever reason. All parties do it, so let us not be silly about that. I accept that basic point, but that has never been my concern with Carpentaria.

I would like to put my concern about Carpentaria on the record briefly. When people donate money to the party, the question arises in many people's minds, because of little scraps of evidence they pick up around the traps and because there are people who are prepared to share what they know, for personal reasons, just whether all the money that was donated went into Carpentaria and whether people did not use it for their own purposes instead of for party purposes. I have called it the 'Carpentaria Carbuncle'. I believe the CLP lacks the courage to lance it, and it will wear that for years and years - and I do not have to say a jolly thing because the party people know about it. They know what is going on behind the scenes. It is there and it will bubble on. I do not have to fuel it at all because the people ...

Mr Hatton: Give the directors a chance to defend themselves. Walk outside and say it. You have been carrying on for a year about this. Get outside and say it, so they can defend themselves. But, no - you'll keep the story going, won't you?

Mr COLLINS: I don't have to keep it going. It goes round the community with impunity all the time.

Mr Hatton: There is no end to it. Nothing but unfounded allegations.

Mr COLLINS: And yet, still it burns!

The second issue I want to discuss is something which has caused concern to a number of people in Alice Springs of late. It relates to the sale of buildings, particularly buildings for which plans cannot be found in the Department of Lands and Housing.

Real estate agents are demanding that certificates of completion and compliance be provided before a sale is finalised. This seems to be a new phenomenon, in the light of my investigations amongst people who have been around the traps for a very long time. The most consistent explanation would appear to be that plans which were held in Darwin were destroyed by Cyclone Tracy. The problem arises when people who are trying to sell their houses do not have completion and compliance certificates or even a set of plans. It is interesting to note that, in many instances, sewerage plans exist. One would assume that there were plans for the houses if somebody drew up plans for the sewerage. However, the plans have disappeared and there are no certificates for these houses.

People have to go to architects to have plans redrawn. I do not know how the architects check the foundations, the steel, the tie-down bolts and so on but to me the greatest safeguard is the fact that many of these houses have been up for 20 years and still appear to be good and solid. Yet, the estate agents are advising their clients not to buy until they have those certificates and it is costing people up to $1500 to get the documentation necessary to sell their houses. Cyclone Tracy was certainly an unfortunate event but it is now costing people money in Alice Springs, and the matter needs to be investigated and resolved because ordinary people are being hurt.

Today's edition of The Australian contains a cartoon depicting the Prime Minister caught up on the string of his own privatisation kite, which has crashed into a tree. Mr Hawke was very keen to damn the federal Leader of the Opposition, John Howard, when he first mentioned privatisation but now he has been hoist with his own petard because he came to realise that many of the government's cost problems could be solved through it. The ALP left wing has jammed down his throat the rhetoric that he used to denounce John Howard. That is a pity. The privatisation issue has been handled very badly in this country; the concept has not been sold properly.

I saw a glimmer of hope in the attempt by the federal Labor government to privatise just 1 thing. I hope it happens. I am not arguing for the gung-ho privatisation of everything. I have said time and time again that privatisation is not something which a government forces upon its public servants. It can be accomplished through seduction rather than force. Governments can go to public servants with ideas and strategies for setting up services in the private sector and taking advantage of the resulting opportunities.

Privatisation is well down the road in Britain and I noted recently that the sale of the century was taking place there: the sale of the nation's electricity generating capability. In that country, public servants have gone to the government with propositions for privatisation which the government has accepted. Those public servants have branched out into the private sector and in doing so have reaped many benefits as well as advantaging the government and the taxpayer. The one glimmer of hope is that the federal government may still take that path. Bob Hawke was dead right in raising the issue and, if he had gone about it properly and been able to sell it to the left wing of his party, he would have put himself in the same position as has the Prime Minister of Great Britain; that is, he would have been able to occupy his position for a very long time indeed as, I believe, Mrs Thatcher will do.

Mr Speaker, at lunchtime I was challenged by some people across the road to give my views on the 17½% leave loading issue. I had ordered a taxi to deliver a video to someone who was very keen to get it and I said that I would be back. Unfortunately, by the time I returned about 15 minutes later, the people had left.

My view on the 17½% leave loading is this: I oppose its removal if that is to happen to Territory public servants and private sector workers alone. However, if it is to be removed Australia-wide, I wholeheartedly support that move. The 17½% leave loading was put in place initially for those shift workers who suffered a considerable drop in their rates of pay when they went on holiday. Whether that was a good or bad thing is arguable but what followed was that the Arbitration Commission, no doubt fuelled by the unions, decreed that everybody should receive it. The only winner in that matter was the tax man. Employers had to find the extra money either through reducing their own personal incomes or, more likely, increasing the prices of their produce. The result has been a fuelling of the inflationary cycle with everybody paying for their own leave loading through the higher cost of goods. People pay for their leave loading in other ways and the only eventual winner is the tax man. That is why the removal of the leave loading, except perhaps for shift workers, will advantage everybody. The problem is that, having been in force for some time, the benefits may take a while to flow through. Employers will still want to keep their prices up.

I believe that Territory workers should not be disadvantaged in comparison with other Australian workers but that the loading should be removed throughout Australia. The person who introduced the leave loading was Clyde Cameron, a former minister of the Whitlam government. He has said himself that the loading was a mistake because, when everybody gets it, nobody is advantaged. We have all been disadvantaged - except of course, the tax man. That is the message I would have given to the people who asked me about my views at lunchtime.

Mr SMITH (Opposition Leader): Mr Speaker, I rise briefly to congratulate the Federated Miscellaneous Workers Union on doing something that the government should have done; that is, produce comprehensive material on the Work Health Act. The Work Health Authority has been in operation for over 12 months but it has not been able to produce any comprehensive material on the operations of the Work Health Act. The FMWU has done something because it understands that the Work Health Act and its ramifications are a significant issue, not only to its own members, but to all workers in the Northern Territory. It has produced a comprehensive booklet which, in question and answer form, outlines the main requirements of the Work Health Act.

I will not go through all the questions and answers contained in the booklet but it is very comprehensive. The shameful aspect of this matter is that it is the only comprehensive guide that is available to the operations of the Work Health Act in the Northern Territory. The Work Health Authority has put out nothing that can equal the comprehensiveness of this document. The need for it is attested to by the fact that organisations like BHP in Port Kembla, physiotherapists involved in rehabilitation, firms of solicitors who handle work health cases and the Minister for Labour, Administrative Services and Local Government himself have asked for copies of the booklet. I hope that the minister's request for a copy of the booklet might lead him to have a closer look at the operations of the Work Health Act in the Northern Territory. Unfortunately, the same lack of commitment that is evidenced by the Work Health Authority's failure to produce something like this for people in the Northern Territory is also apparent in other aspects of our work health system.

The work health situation in the Northern Territory needs urgent attention. People are not only suffering the results of their physical injuries but are suffering under a system that is unfeeling at best and, at worst, seems to go out of its way to make it difficult for people to claim their rightful benefits. There are a couple of cases which illustrate this. One is due to be heard in the Supreme Court so I will not mention it here.

I will, however, describe the problems experienced by a constituent of mine in his attempts to obtain his just benefits under the work health system. It involves the Territory Insurance Office. This person was injured at work before Christmas. He waited for 6 weeks before he looked like getting his first payment, despite the fact that the Work Health Act prescribes times which employers are supposed to comply with. This employer's tactic, in the guise of its insurer the TIO, is to keep writing to the employee saying that he has not provided enough information, that another medical certificate is required and so on. That person had to wait 6 weeks before the Territory Insurance Office approved his claim. In the meantime, he was 6 weeks behind with his rent and his electricity was cut off because the Territory Insurance Office was stuffing around with his claim. When he finally received the approval, he had to go back to the employer, who was actually responsible for making the payment under the arrangement with the TIO. The TIO informed him that it had approved his claim and notified the employer. He rang up the employer and advised that the TIO had approved his claim, and he requested a payment. The employer then said: 'I am sorry. I cannot make a payment until TIO sends the claim endorsement through the post'. That poor bloke, who had already waited 6 weeks, had to wait another 2 days. In fact, his situation was so bad that I had to lend him some money to help him over that particular problem.

Mr Deputy Speaker, that is simply not good enough. The system is not working for people who are on limited incomes when they are injured. Like the rest of us, they have regular commitments to meet such as the rent and the electricity account. According to the act, the system is designed to ensure that such people receive payment in the minimum time possible. It is not working, and it is time that the Minister for Labour, Administrative Services and Local Government sat down and had a close look at the reasons why it is not working. If he wants particular examples of cases where it has not worked, I will be only too pleased to give him those examples.

The government has claimed that the Work Health Authority is a success in the Northern Territory. Certainly it has been a success in terms of keeping premiums down. Unfortunately, there is increasing evidence that that is at the expense of the injured worker. I hope that that tendency will not continue because I do not thing anyone intended the legislation to work in that way.

Mr Deputy Speaker, to conclude, I congratulate the Federated Miscellaneous Workers Union once again on its initiative in issuing a document that is sorely needed. It has been widely read and is regarded as authoritative. I hope that, in future, the Work Health Authority will pick up its proper responsibilities and ensure that it issues documents that clearly indicate to workers in the Northern Territory what their rights and entitlements are.

Mr HATTON (Chief Minister): Mr Deputy Speaker, I would like to deal with 3 matters briefly tonight. I had not proposed to deal with the first but I must do so following the opening comments by the member for Sadadeen. I simply say to the member for Sadadeen that, if he intends continually to promote unsubstantiated allegations about organisations such as Carpentaria

and its directors, he should have the courage either to substantiate what he is saying or to walk outside the door, make the statements in public and give the directors of that organisation, for once in 2 years, a chance to defend themselves, instead of perpetually using this coward's castle to promote the myth and the lies. The reality is that there is no evidence. None has ever been brought forward and all of the auditing of the books for that organisation has come up clean. If the honourable member wants to keep promoting this, he should walk outside and put up or shut up.

On a happier note, I would like to refer to a constituents of mine who is on his way to world recognition for his air-rifle and small-bore shooting skills. I am referring to an 18-year-old gentleman called Trevor Karlhuber. He recently competed in the New Zealand Championships in the Oceania Regional Cup held in New Zealand. He entered 7 events and he won 5 medals - 3 gold and 2 silver. He was 1 of 3 Northern Territory shooters in the Australian team for the Oceania Cup, the others being Gunther Raaber and Hinko Kostanjevek. Trevor Karlhuber's efforts in taking out 3 of the 7 individual gold medals won by Australia have gained him a place in the Australian Talent Squad. This squad will train at the South Australian Institute of Sport this year prior to taking part in the world championships in Moscow and then in the Commonwealth Games to be held in Auckland in 1990. I would like to offer my warm congratulations to this young Territorian on his achievement and I wish him well in his developing and clearly prospective international career in his chosen sport.

Mr Speaker, I would like to speak about 2 Darwin residents of some 30 years, people who came to the Territory in 1958 and who have now decided to take up their retirement in Queensland. I am referring to Paul and Charlotte Mohring. Paul and Charlotte have spent the past 15 years at Howard Springs. Paul had attended a tropical agricultural college in Germany. On arrival in Darwin, the Mohrings set up a plant nursery in Bagot Road which they ran for some 15 years. After that land was bought by the government, they moved to Howard Springs and started a wholesale nursery which was renowned for its bougainvillea.

Mrs Charlotte Mohring has long been involved with community work. She was a member of the Nightcliff Community Association, a member of the Hospital board, a member of the Board of Management of East Arm Leprosarium until its closure and she played an active role in the transition of the old Darwin Hospital at Larrakeyah to Casuarina. She was also a foundation member of the Penguin Club, having recognised the need for training in meeting procedures and public speaking. She was Mrs Darwin in 1969. She is a life member of the Country Liberal Party after having been President of the Liberal Party for many years before it merged with the Country Party to become the CLP. She is a member of the Native Plant Society and Rural Garden Club. Charlotte Mohring's other talents include botanical painting. She has helped illustrate a book being prepared by Mr Chris Cox and Mrs Rita Tingey which documents NT native plants.

As I have said, Mr and Mrs Mohring are now leaving the Northern Territory to take up residence in northern Queensland. I would like to pay tribute to both of them for their long and outstanding contribution to the life of the Northern Territory, particularly in Darwin, and wish them all the best in their new home in Queensland.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I would like to say a few words this evening on a topical subject: privatisation. I would like to relate my words particularly to the 2 government-controlled airlines: Qantas

and Australian Airlines. Sadly, all recent media reports indicate that the Prime Minister is heading for certain defeat on what is clearly a most crucial issue.

I am pleased that at least 1 member of the opposition is here because what I would like to learn tonight, among other things, is what the view of the Northern Territory ALP is in regard to privatisation. It is quite confusing when media reports over the last 2 or 3 months have indicated that the 2 federal ALP representatives for the Territory stand at opposite poles in regard to privatisation. Senator Bob Collins favours a rational and logical position on the privatisation of appropriate government assets whereas Warren Snowdon is taking a somewhat different line.

I said that I was sad that it seemed that the Prime Minister was doomed to failure. I do not say that because I have an especially soft spot for the Prime Minister. It is simply that all logical and realistic Australians can see the value and the necessity of the concept, regardless of whether it goes by the name of privatisation or, as the Prime Minister called it last night, 'optimisation of your resources'. I think that latest version of Hawkespeak is doomed to failure just as the federal opposition Leader's 'incentivation' was a year or so ago. The indications are that the band of supporters for the Prime Minister is dwindling and he seems to have lost the greater part of the debate already.

There appears to be some glimmer of hope for at least a partial sell-off of Australian Airlines. I am not too sure whether we should hold our breath and wait. The combined effects of a zealous adherence to the hoary old theory of nationalism plus a touch of the tall-poppy syndrome, and I use that term most advisedly in relation to the Prime Minister, have doomed 2 of Australia's 3 major airlines to mediocrity and, possibly in the long term, to ruin. I would be very interested to hear from the member for Stuart what thoughts he and his colleagues have about that, either separately or jointly.

The cost of privatisation of those 2 airlines would probably be some $850m in capital injection over the next few years, and that will be needed just to maintain the viability of each of those 2 airlines. Australian Airlines is particularly important to us in the Territory, despite what the federal member, Warren Snowdon, says. The real danger and the real risk is that, if Australian Airlines does not receive appropriate injections of capital to enable it to provide the right sort of equipment, then it will be a pretty poor competitor for Qantas. I would think that Sir Peter Abeles is probably grinning very broadly.

Mr Ede: For Ansett. You said competition for Qantas.

Mr FINCH: Yes, he is the Ansett man. Sorry, I meant to say competition for Ansett.

But I would say that Sir Peter Abeles is probably grinning quite broadly at the thought of the socialists now helping to hamstring his only potential competitor.

It would be extremely sad if those 2 airlines were allowed to run down as a result of government ownership and government constraint. British Airways, of course, was an example of an airline which managed to bounce back from stagnancy and became a profitable organisation under a privatisation scheme. That scheme involved a share to employees etc, and one would hope that, at the very least, the Australian government will be able to come up with an

innovative way of providing the necessary funding to help to keep those 2 airlines afloat.

The rank-and-file members of the unions would probably accept the opportunity to participate in equity in government airlines, and I wonder whether the radical anti-privatisation lobby has checked out what its colleagues in the rank-and-file unions have thought.

We need to ask why the government should own an airline in the first place, let alone 2 of them. As Australian taxpayers, can we afford to keep those 2 companies afloat, quite apart from making them appropriately competitive? If the Australian government cannot find funds, the basic question remains: what happens to both of them?

Qantas itself needs a $600m capital injection in the next 2 years, according to Senator Gareth Evans. As he says, without that money there is a real threat of Qantas being forced out of business by the mega airlines. The question is: where is the money to come from? Qantas is currently undercapitalised and cannot meet the demands made of it. In Darwin last year, we could not get Qantas to bring in enough aircraft to handle the peak season demand. Planes just were not available. Whilst that is an international problem, it is a specific problem in Australia where the taxpayer is helping to prop up a company that is hamstrung by its lack of equipment.

Qantas directors estimate that the airline needs a $5400m capital expenditure program over the next 5 years. This would include $1000m in 1988-89 and $1500m the following year. Certainly no more than $4800m could be generated from borrowings or the retention of earnings. The money is needed to buy eighteen 747s and 767s in order to increase the fleet from a total of 30 aircraft to 50 aircraft. That is quite a shopping list and there is no way that the Australian taxpayer can afford that sort of money. It is just not on.

Senator Evans and his Cabinet colleagues say publicly that they want to float 49% of Qantas holdings. Well, that only goes part of the way. The real answer, the proper answer, is to sell Qantas. It is as simple as that.

Australian Airlines looks to be the only possible chance of successful privatisation, although Senator Evans and his few remaining supporters are still only looking at a 49% sell-off. As I said earlier, I will not be taking too many bets on that happening. Really, what is required is a realisation by this socialist government that the country simply cannot afford not to sell off, not to release the constraints on this government-owned airline so that it can get on with the job and so that it can provide meaningful competition for Ansett. If it does not do that, it will be people like Territorians, people in remote areas, who will be held to ransom by a monopolistic airline. I do not have anything against Ansett in particular. It just takes simple logic to realise that monopolistic situations are not altogether the healthiest for long, lean routes such as we have here in the Territory.

Labor's 1986 platform resolutions and rules state, and I quote: 'We totally reject proposals for privatisation of public enterprise and services'. Australia needs a strong and viable aviation industry, and that is not possible when 2 of the principal competitors have their hands tied behind their backs.

It was interesting to note the divergence of views between the Territory's 2 federal ALP representatives, and I will look forward to the comments of the

member for Stuart who might like to explain just where he and his colleagues stand. The October announcement of the end of the 2-airline policy, which is due to occur in 1990, was welcome in itself, but it is only half of the decision. The pattern will not be completed until there is a total release of Australian Airlines to enable it to go out and compete in the marketplace. It needs the extra muscle that is required to survive in a very competitive field.

I was going to mention that Australian Airlines itself needs a total capital injection of some $250m over the next 3 years. That capital would provide the airline with the flexibility to compete with Ansett. Despite owning Australian Airlines, the federal government has provided only 1 injection of capital into the airline in the last 25 years, and that was in 1983. Australian Airlines has contracted to buy some $650m worth of equipment over the next few years. It is quite obvious that the airline is in quite desperate straits unless it can get some positive support and positive decisions from the federal government.

From an article in today's newspaper, I understand that, with the right-left and centre-left factions both quite consistently opposing privatisation, there seems to be very little hope for the Prime Minister to get anywhere near a rational and logical decision.

The Minister for Industries and Commerce, John Button, had some quite interesting things to say today about the raising of capital funds. I quote him: 'Clearly the method by which you raise capital for the 3 majors - that is, Qantas, Australian Airlines and the Commonwealth Bank - has to be on the agenda'. He said that the freeing of those sorts of enterprises from continual, nitpicking government intervention over matters such as wages, policies, salaries and borrowings is the way to go and that government enterprise needs to be given a good deal of freedom. In fact, I say again that Australian Airlines needs to be sold off totally. If Qantas is to survive in an extremely competitive international marketplace, it has to be given at least a substantial boost to its capital capacity, and that can only be done by some form of privatisation.

Mr EDE (Stuart): Mr Deputy Speaker, I listened with interest throughout the debates on general business today. Far be it from me to breach standing order 59, but I would like to make the point that, despite careful and reasoned arguments, all items raised by the opposition were defeated on the numbers. Without making any suggestion that members may be voting on party lines rather than on the merits of the issues, all I can think is that, despite the several months' notice that members opposite had of some issues raised today, they did not have enough time to consider the rationality behind the other motions that we moved today.

Mr Deputy Speaker, this is not a formal notice of motion but I believe, since it is the end of our first general business day for the year, that I should advise members opposite of 3 notices that we will be moving at the next general business day. If these are defeated on party lines, so be it. We will know. The first is that daylight should be classified as the light period and night should be classified as the dark period of the day. Secondly, we will move a motion or possibly introduce a bill to the effect that the Pope should be a Catholic. We will then move a resolution to the effect that everybody should live until he dies. If those items are knocked off on party lines, so be it. I would simply like government members to have a little time to dwell on those subjects so that they can debate them more rationally than they debated the matters before them today.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, yesterday morning, the member for Port Darwin asked the Minister for Labour, Administrative Services and Local Government a question regarding flat rating: 'A number of local government organisations have expressed an interest in what is termed the flat rating system. Can the minister indicate whether the Local Government Act provides for flat rating and, if not, will legislation be amended to allow for such a system to be introduced?' I believe that the minister was not as precise in his reply as he should have been. He said: 'Mr Speaker, there has been some concern by local government bodies that the ability to institute a flat rating system may have been lost to them'.

Mr Deputy Speaker, I would like to refer the honourable minister to the Local Government Act. Local governments never had the ability to levy a flat rate. The minister does not have to look very hard to find that out. Certainly, it was a provision in the old Local Government Act. People in the Shire of Litchfield thought they could have a flat-rating system under the Local Government Act. In fact, that was official government advice right until the time when the shire council had to declare a rate. At the last minute, it found out that it could not do so. Legislation had to be introduced to allow it to levy a flat rate and that was subsequently done. In fact, amendments to that legislation were passed only recently.

The minister continued: 'As a result of a challenge to that provision in another state, this ability appears to have been lost'. I know about the challenge in that state. I would say that we never had the ability to declare the flat rate. I would like to put that straight although I congratulate the minister on having more foresight than the previous 2 ministers who held his portfolio. He said that a number of amendments to the Local Government Act are currently being processed. In fact, 1 of these will provide the ability to levy a flat rate in council areas. I know something about this because I have had considerable discussions with officials of the Shire of Litchfield on this and other matters. I look forward with interest to that legislation receiving the okay in Cabinet and being introduced into the Assembly provided it follows the legal recommendations put forward to the minister by the Litchfield Shire Council.

Mr Deputy Speaker, I would like to talk about something serious. I refer to small business people in the Northern Territory and a meeting held in my electorate last night. The subject of the meeting was private child-minding centres. It was attended by parents, members of the Children's Services Bureau and the principals of 3 small child-minding centres in the Northern Territory, 2 of which are in my electorate.

I would like to draw honourable members' attention to the fact that I do not believe that the Children's Services Bureau, which is a section of the Department of Health and Community Services, is responsive to what parents want or to what the principals of these child-minding centres want. These private child-minding centres are running their operations according to their views of what the parents want. The fact that they are well patronised shows that they are fulfilling a need in the community.

Government child-minding centres are operating in direct competition with private child-minding centres. People of limited means are able to obtain a rebate on their child-minding fees if they take their children to a government child-minding centre but they cannot obtain any rebate on fees paid to a private child-mining centre.

It is not as if these private child-minding centres are really stashing the cash away. They charge reasonable fees. In fact the lady at McMinns Lagoon, where the meeting was held last night, charges less than is usually charged at other child-minding centres. She has the help of a very enthusiastic family and, because of that, she is able to lower her fees to the general public. In that, she certainly is doing a service to the community out our way, but she cannot compete against government child-minding centres. Many of these centres will have to close, to the detriment of working mothers and fathers who would like their children minded. As private centres are being closed, parents will have to put their children down for government child-care centres and, with the added number of children on the waiting list, they will not be able to get in and many other local members will be called upon to help these private operators.

At the meeting last night, there were 2 representatives from the Children's Services Bureau. I will not name them but the minister would probably be able to find out who they were pretty easily. I was not able to go to this meeting myself although I sent my apologies and expressed an interest in what went on, as I have done previously in relation to the activities of the child-care centre. I will not say that these 2 people from the Children's Services Bureau were as useless as tits on a bull or as an ashtray on a motor-bike, but they were not of much use to the people at the meeting. In fact, they could have saved a great deal of time and effort on many people's part if they had stayed at home. No doubt they charged for their time in attending. I have it on good authority that they could not answer any questions at all and that, when they were asked direct questions, they waffled on and could not give clear answers on any matter whatsoever. To add insult to injury, it would seem that they did not know what they were talking about when they were confronted with the actual queries of the commonsense, down-to-earth people who run private child-care centres. Some of these people, particularly the one I am talking about, do not have professional qualifications but are very skilled mothers who have taken up private child minding as an interest and a business. They know what they are doing. They are sensible people with a down-to-earth approach and their work is appreciated by the people whose children they mind.

The Children's Services Bureau recently took the initiative of issuing a handbook which was supposed to tell everything to the people who run these private child-minding centres. One of the things that this handbook said was that any centre whose owner did not have the official qualification of a Child Care Certificate by 1992 would need to employ a person who had that qualification, to run the centre for them. The owner of the centre in the rural area thinks that this is a little bit silly because, by 1992, she will have been running a successful child-minding centre for 9 or 10 years and if that is no qualification, what is? She does not care how much official knowledge she is supposed to have; she reckons - and I back her up - that she has the down-to-earth knowledge that parents want. Obtaining the qualification would entail 2 years of full-time study at the DIT or a longer period of part-time study. Such people cannot afford that course and they certainly cannot afford the loss of income.

The parents at this meeting supported the owners of the child-minding centres, especially in respect of the prescriptive and restrictive guidelines contained in the handbook. The parents say that they had no input in the compilation of the handbook. They were not consulted as parents with a right to their say in terms of the type of care their children should have. They believe that they have the right to have a person of their choice undertaking the care of their children, whether or not such a person has official qualifications and whether or not the government approves of that person.

Another important issue raised by several mothers and fathers at the meeting related to the restrictions on discipline at child-minding centres set out in the handbook. One father said that, when he took his child to this private child-minding centre, he expected to be able to give the proprietor permission to discipline his child as he was disciplined at home and to have the proprietor follow those instructions through. I will not repeat what the parents said when the gentleman from the Children's Services Bureau started to waffle on with all that trendy stuff about child abuse but I will say now that a little where it does the most harm works wonders with young children and gets the point across pretty quickly. It does the children no harm and it saves a lot of arguing, which is what most sensible parents want.

If we do not apply a little discipline in bringing up children, we will have increased numbers of those brattish little monsters one sees in public places these days. Some parents seem to believe that they have produced something wonderful which does not need to be disciplined and will somehow magically turn into a beautiful being. It never happens. Instead, we have brattish little monsters which turn into bigger monsters. The parents said that the proprietors of these small institutions are not being given any trust, discretion or power to act and they believe that the handbook demeans them.

The handbook contains another stupid restriction. It says that, if a private child-minding centre has 1 child left in the afternoon who has not been collected by its parents, the proprietor cannot wait with this 1 child alone. She must have 2 people to look after the child. Honourable members will not believe this, but I was told by the operator that the reason given by the people from the Children's Services Bureau - or that was contained in the handbook - was that 2 people are needed in case one has a heart attack. Mr Deputy Speaker, have you ever heard anything so silly? Taking it to its logical conclusion, it would mean that 3 people would have to be present in case 2 of them had heart attacks. One could go on and on and, if it were not heart attacks, it could be broken legs or something else. This was put forward seriously by these representatives of the government.

Mr Deputy Speaker, I believe 3 private child-minding centres are closing in the rural area and that this is due to the inability of the owners to continue under the new regulations, both financially and as a matter of principle. This will leave a big hole in child-minding services in the rural area and that is because, despite what the minister said this morning in his rather flippant answer to my question, the government is not responsive to what parents want in sensible day care for their children.

Mr SETTER (Jingili): Mr Deputy Speaker, I felt concerned earlier when I heard the comments by the member for Sadadeen regarding Carpentaria and I rise to support the Chief Minister's response.

The member for Sadadeen berates Carpentaria from time to time in this House but I have never heard him offer a single fact in support of his claims. I have known the member for Sadadeen for a long time. He was a member of the CLP for a long time and has attended central council meetings, conferences and so on. But at no stage, to my knowledge - and he can correct me if I am wrong - did he ever have access to the books of account of Carpentaria. Therefore, he would not know of any of the transactions which took place in relation to that account. However, members of the management committee of the Country Liberal Party are aware of such transactions and I know that they are quite satisfied with regard to them. The member for Sadadeen well knows that I was a member of the management committee of the Country Liberal Party myself

for some time and a vice-president of the party. I have seen the books of account myself and I am quite satisfied with regard to the transactions.

The problem is, of course, that the honourable member has come under the influence of the member for Barkly who, as the Chief Minister of the day, had some knowledge of that account. Since moving to the crossbenches, the member for Barkly has been rather critical in relation to this matter and I think it is most regrettable that the member for Sadadeen has, as I put it a moment ago, allowed himself to come under the influence of the member for Barkly, because I can only interpret his comments as being a reflection of that.

Comments are made regularly by some members of the opposition regarding Carpentaria, in particular by the members for Stuart and MacDonnell, who continue to slander Carpentaria and toss around innuendoes, but there is no substance to those comments whatsoever. However, I think the most important aspect with regard to those comments is that they are picked up by the media and by the member for Sadadeen and members opposite think that they are gaining some political mileage in that way.

Mr Deputy Speaker, let us cast our minds back to when the now Senator Bob Collins was the Leader of the Opposition in this House. He used to stand up and make all sorts of accusations about Carpentaria. He told us that he had a file in his office which contained a mass of sensitive and confidential material which, if he ever laid it on the Table of this Assembly, would destroy Carpentaria, the CLP and a number of senior people within the CLP. But did we ever see it? Did he ever table any of that information? No, Mr Deputy Speaker, and I will tell you why: because it did not exist. I would defy anybody here to produce any information which backs up what the member for Sadadeen has said or what the then Leader of the Opposition said at that time.

Some 2 weeks ago, Senator Collins sought to air the subject again by telling us that the Carpentaria account was being investigated by the Office of Electoral Returns or whatever. He did that to diffuse the heat from the Young, Loosley, Harris, Daishowa affair which arose at that time, from which it appears that some campaign donations to the Australian Labor Party were transferred into the New South Wales ALP account and, somewhere along the way, were not declared. That was what that was all about: Senator Collins tried to resurrect the Carpentaria issue, as he perceived it, to take a bit of heat off his mate, Mick Young. Unfortunately for Mick Young, the heat wasn't taken off and it still has not been taken off because that issue is continuing. Nevertheless, Mick Young has since retired from federal parliament and is spending his latter years in the suburbs of Adelaide.

The ALP continues to try to create the false image that Carpentaria has some sinister purpose. That is an absolute nonsense. Let us have a look at the 1987 election. Let us have a look at the ALP itself and how it operates its own fundraising. In 1987, the Australian Labor Party in the Northern Territory declared to the Australian Electoral Office that it had raised approximately $2000 to fund its election campaign in the Northern Territory. That is also a nonsense, because you know, Mr Deputy Speaker, and I know and everybody else knows that the funding of that election campaign would have cost the ALP several hundred thousand dollars, because that is what it costs. Its spending by way of television promotional material, videos, newspaper advertising and so on was roughly on a par with that of the CLP, and so the ALP's costs would have been approximately the same. So why didn't the ALP declare that more than $2000 had been raised in the Northern Territory? The answer is simple: the majority of funding that was raised by the ALP would

have been channelled into a nice, cosy, little account that it has in Canberra, called ALP Gifts and Legacies. I would imagine that ALP Gifts and Legacies donated funds subsequently, or paid the account, to fund the Northern Territory election campaign on behalf of the Labor Party.

Nationally, the ALP only declared $2.98m as being funds raised for the last federal election. From records that I have seen, the Canberra-based company called ALP Gifts and Legacies contributed $1 946 348. The interesting thing about this whole exercise is that it is estimated that the ALP spent something like $7.5m on its total national election campaign. I raise the question: where did the other $4.5m come from, Mr Deputy Speaker? That is the shortfall, because between what the ALP declared as having been raised by way of fundraising and what it actually cost, there is a shortfall of $4.5m in round figures. Does the ALP have a slush fund somewhere? The money must come from somewhere, Mr Deputy Speaker. Let members of the opposition tell us about that.

At an earlier time, the present Leader of the Opposition disputed that the ALP was beholden to trade unions. He tried to tell us that the ALP was its own party and that the trade union movement had no influence on it whatsoever. Well, I dispute that also because, when we look at donations to the ALP for the last federal election we find that the Seamen's Union contributed almost $21 000, the Waterside Workers' Federation donated almost $18 000, the Australian Workers' Union $25 000, the Australian Metal Workers Union Political Fund $100 000, the Shop Distributors and Allied Employees' Association $50 000, and the Federated Miscellaneous Workers' Union of Australia $55 000. Mr Deputy Speaker, when you add all that up you are already looking at about $300 000 and doubtless there were a number of contributions from other unions.

How the Leader of the Opposition can stand up and tell me that his party is not beholden to the trade unions amazes me. The reality is that the trade union movement has an enormous influence over the Labor Party, because it has it right where it wants it. Trade unions fund the Australian Labor Party to an enormous extent and, therefore, have a considerable influence over its policies and activities. That is the truth of the matter. If the Leader of the Opposition disagrees with me, he can stand up and deny the figures I have quoted.

The thing that I think is very sad about this is the fact that many members of trade unions do not support Labor Party philosophy. They pay their annual subscriptions and, one would assume, those subscriptions go towards funding the activities of the union. I am quite sure that those people are very concerned about their contributions being used to fund a political party which they do not support. On one occasion I saw the constitution of the ACOA, and it said quite clearly that funds raised should not be used for political purposes. Yet, we see these donations, Mr Deputy Speaker. It is interesting, isn't it?

Mr Deputy Speaker, Carpentaria has nothing to hide, nothing at all. From my quite long association with the Country Liberal Party, my experience as a member of the management committee, and from having seen the books of Carpentaria from time to time, I can assure the member for Sadadeen that there is nothing to hide with regard to Carpentaria, and the sooner he wakes up to that fact the better.

Motion agreed to; the Assembly adjourned.

Mr Speaker Vale took the Chair at 10 am.

MOTION
Reference to Standing Orders Committee

Mr SMITH (Opposition Leader)(by leave): Mr Speaker, I move that the practice of the Legislative Assembly whereby answers to questions asked on a previous day, either in question time or during the adjournment debate are, on occasion, given by ministers during question time be referred to the Standing Orders Committee for consideration and that the committee report on the matter to the Assembly generally, with particular reference to: (a) whether such answers should be given during or at the end of question time; (b) if ministers desire to have such answers broadcast, whether such answers could be made at the end of question time and be included in an extended broadcast; and (c) whether any other arrangement would be more suitable to the needs of the Assembly and its members.

Mr Speaker, in the last 2 weeks, we have seen some unusual practices which have resulted in some controversy in this House and which have probably lowered our already low standing in the eyes of the public. Rather than face that prospect at the next sittings, I would prefer to take a constructive approach and refer to the Standing Orders Committee the matters that have arisen in the last 2 weeks to see if we can obtain mutually agreed rules and procedures for question time. That is the intention of the motion.

Mr HATTON (Chief Minister): Mr Speaker, I support the motion. It has been a matter of some contention during the course of the last fortnight and it has really disrupted question time on a number of occasions and led to unnecessary delays and argument. Quite clearly, it is a matter that would be dealt with appropriately by the Standing Orders Committee to determine whether there can be some defined practice to facilitate the smooth operation of the House.

Motion agreed to.

TABLED PAPER
Draft Adult Guardianship Bill

Mr DALE (Health and Community Services): Mr Speaker, on a previous occasion, I gave notice of the government's intention to introduce legislation which would provide for the appointment of guardians for people who, for reasons of intellectual disability, cannot manage their own day-to-day affairs. Although the Aged and Infirmed Persons Property Act provides for protection and management of the property of such people, it does not provide assistance for other transactions that require informed consent such as decisions about where and how they are to live and possible employment and medical care. Nor does it provide arrangements for the care and guidance of people suffering disabilities such as senile dementia.

I am particularly aware that, in our attempts to assist and protect such people, we are talking about giving their right to make decisions about their lives to another person. Consequently, we need to ensure that any such procedure is not subject to abuse, that it is available only to those who will benefit from it, that the transfer of civil rights involved is regularly reviewed and that the best interests of the represented person are paramount. For these reasons, I have decided to table the Adult Guardianship Bill, together with a draft bill to make a consequential amendment to the Powers of Attorney Act after consultation with the Attorney-General. These bills are

tabled for the consideration of members of the Assembly and for public discussion before their formal introduction. A discussion paper outlining the principles proposed was circulated by my department over a year ago. The comments received were of great help in drafting the Adult Guardianship Bill. The draft bill means a great deal to those who care for people with intellectual disabilities but I hope it will receive the attention of anyone who is concerned about the balance between the protection of civil rights and the protection of people ill-equipped to exercise those rights.

I would like to draw the attention of honourable members to clause 4 of the draft bill. This clause sets out the proposed principles to be adopted by the courts in determining a guardianship order, by the adult guardianship panels which are to advise the court and by guardians appointed under the legislation. These principles are translated into quite specific directives elsewhere in the draft bill.

Mr Speaker, I do not wish, at this time, to go through the details of the draft bill, but there is one other feature that I would like to draw to the attention of honourable members. The draft bill requires that a panel obtain reports on, and the courts consider, not just the intellectual capacity of the person and the suitability of the proposed guardian, but also the social and cultural circumstances of the person. The support systems available within the community and the cultural environment of the person would be some of the factors relevant to a person's ability to cope independently. I want to make it clear that medical and legal matters are not the only issues involved and, for that reason, the draft bill provides that the panel advising the court will always include a representative of the person's local community.

Finally, in a further endeavour to prevent abuse of its provisions, the draft bill repeats a section of the Mental Health Act which makes it clear that intellectual disability is not be confused with having or failing to have particular political, moral or religious beliefs. I table a copy of the draft Adult Guardianship Bill and, with the agreement of the Attorney-General, a bill to amend the Powers of Attorney Act.

TABLED PAPER
Territory Loans Management Corporation
Annual Report 1986-87

Mr COULTER (Treasurer): Mr Speaker, I lay on the Table the Territory Loans Management Corporation Annual Report for 1986-87.

In accordance with section 68 of the Financial Administration and Audit Act and section 22(1)(a) of the Public Service Act, I table the first annual report of the Territory Loans Management Corporation covering the financial year to 30 June 1987. The corporation was formed in 1986 as the legal successor to the Northern Territory Development Corporation, or NTDC, whose functions the government decided to restructure and decentralise in July of 1986.

The corporation is a prescribed statutory body whose functions are set out in the Territory Loans Management Corporation Act. The corporation's basic function is to administer loans and guarantees associated with agreements and agency arrangements to which the NTDC was a party immediately before the commencement of the act. As such, the operations of the corporation are service-oriented.

I would like to draw honourable members' attention to some specific aspects of the financial statements contained in the report. There has been an overall expenditure reduction, in comparison with the previous year, of approximately $4m which is reflected in the income and expenditure statement. As one might expect, this reduction is due primarily to the transfer of many of the NTDC's functions and the associated expenses to other government entities. Members will also note corresponding reductions to items in the balance sheet as a result of the transfer of functions.

Honourable members will note that there has been a significant increase in the doubtful debt provision in relation to loans to industry. As one of its first priorities, the corporation conducted a thorough commercial revaluation of its loans portfolio. As a result, the provision for doubtful debts in the year's accounts has been increased to a level which reflects the current position of the portfolio.

I would like to turn honourable members' attention to note 14 of the report headed 'Contingent Liabilities'. Members will note that there are a number of reductions in the corporation's contingent liability exposure as a result of the events of the past year. The overall reduction in the corporation's contingent liability exposure over the year was more than $36m. The most significant reduction relates to the corporation's guarantee to the bankers of the Territory Property Trust. On 17 September 1986, the trust sold the Alice Springs casino and, as a result, the level of the corporation's financing guarantee was reduced. The guarantee later lapsed entirely when the trust refinanced the remaining debt. There was also a significant reduction in the corporation's exposure in relation to the guaranteed buy-back of Territory Property Trust units. The accounts presented only partly reflect the current operation of the corporation because of the inclusion of the NTDC restructuring period over the first 6 months of the year.

In closing, it would be fair to say that the first annual report of the Territory Loans Management Corporation is indicative of the government's efforts to cut costs. Mr Speaker, I move that the Assembly take note of the paper.

Motion agreed to.

MINISTERIAL STATEMENT
Child Abuse in the Northern Territory

Mr DALE (Health and Community Services): Mr Speaker, this House regularly deals with important issues which affect the lives of people in our community. I suggest that none of these issues is more deserving of our attention than the problem of child abuse. This year, I would like Northern Territorians to become more aware of the amount of abuse many of our children suffer. We need to understand the extent of this mistreatment, the short and long-term effects, the cost we all bear and the means we have, or should have, to reduce the problem.

In my relatively short time as a minister in the Northern Territory government, I have tried to take on some difficult social problems in an open and honest way. I believe our frank appraisal and handling of AIDS in the Territory, for instance, is indicative of my approach. Child abuse is a problem which must be dealt with in the same open and honest manner. However, I can understand that child abuse might be actually more controversial. So far, although some threat exists for all humanity, the incidence of AIDS has been confined mainly to people outside of mainstream society - intravenous

drug users and homosexuals. Child abuse, I am sorry to say, could be a problem in any Territorian family.

Mr Speaker, a confidential survey of students conducted by La Trobe University showed that 1 in every 4 females and 1 in 11 males said that, as children, they had been the subject of sexual advances or abuse. The average age of the girl children when abuse occurred was between 10 and 12 years. These findings are consistent with results of similar surveys in other parts of Australia and, for that matter, the United States.

Child abuse is not limited to any narrow social or racial grouping. Victims can come from rich or poor families. They can be European, Asian or Aboriginal. Religion, social status or place of abode does not guarantee a child's protection. Those factors in a person's character which provoke an assault on a child are usually well hidden. Friends or even close relatives will often react at first with disbelief even when irrefutable proof is provided.

The volatile emotional aspects of the relationship between victim and perpetrator make frank discussion about this type of offence in our community very difficult. Considering the known frequency of the offence and the taboos associated with it, our discussions might provoke strong reactions where we least expect them. My main concern is that the victims, the children, understand that grown-ups are not always right, that the people they love and trust sometimes do things which are not good and that it is okay to get help from other people. I would not like caring parents to misunderstand my point of view on this issue. I would not suggest that children escape punishment for misbehaviour, but discipline should not be confused with abuse.

Mr Speaker, in this statement, I want to provide the Assembly with an analysis of the facts of the problem we face, explain what is being done about it in the Northern Territory and discuss some possible developments. More than anything else, I want to expose the problem of child abuse we face in the Territory to the light of public scrutiny. I believe that a better understanding of the problem among the general public will have a positive effect on the incidence of child abuse and the overall health of our community. If more adults realise the horrific impact of child abuse in our society, I am sure they will do everything in their power to help eradicate it.

By its nature, child abuse is secretive. A person who bashes his child normally does not make it public. Sexual abuse, for instance, is something most children would find hard to talk about openly. The offender will often encourage, in his or her victim, a belief that the child is somehow at fault, that the child is the guilty party. The adult will often use this ploy to continue to exploit an impressionable child while the chances of being found out are reduced considerably. As a result, many young victims carry emotional as well as physical scars of abuse into their adult lives. Their traumatic experiences can cause massive harm to themselves and others.

Bearing in mind the difficulties of obtaining adequate statistical data on child abuse, I would like first to provide this House with a summary of the situation in the Northern Territory according to current research. In the last financial year, nearly 400 allegations of child abuse were reported to my department. Investigation showed that, in 253 cases, the reports were true. Children had actually been harmed in some way or were in situations which put them in what welfare officers term the 'at risk' category. Current Northern Territory legislation, which is based on an enlightened report from the

Australian Law Reform Commission, recognises 4 types of child abuse: physical assault or abuse, physical neglect, sexual abuse and emotional neglect or abuse.

Our government introduced provisions in 1982 which made it mandatory for people to report instances of child abuse to my department. Failure to do so can make people liable to face charges themselves, much like laws that apply to accomplices in criminal acts. I understand several states of Australia are considering amendments to widen similar reporting provisions in their legislation.

Mr Speaker, 20 years ago, the most common forms of child abuse dealt with by welfare staff in the Northern Territory were cases of physical neglect, failure by parents to provide adequate food, shelter or medical care. The most common form reported today is physical abuse or assault. Reports of sexual abuse have also risen sharply. Overall, the number of proven instances of sexual abuse in the Northern Territory last year was 5 times higher than it was 3 years ago. The proven number of all types of abuse cases has almost doubled in the same period. The increasing number of reports is disturbing but, of greater concern, is the number of cases that go unreported. We do not know how many children in our society face life without the protection and care they deserve as basic right.

Statistics do show some difference between the types of offences occurring in urban and rural communities. The most common form of abuse reported in Aboriginal communities, for example, is physical neglect. In most cases, the child is suffering from malnutrition. This can result from many causes such as dramatic changes to traditional lifestyle and diet, alcohol abuse or family breakup. Some cases can also be attributed to the despair and apathy associated with the loss of any sense of purpose or direction in life reflected in some Aboriginal communities. On the other hand, one of the strengths of the Aboriginal culture in the Northern Territory is that the extended family system makes it easier to find relatives willing to take responsibility for a neglected child with less disruption to the child's environment.

The contrast between urban and rural life in the Northern Territory is also reflected in child abuse surveys. Studies show that physical assault or abuse of children is a more common feature of suburban white Australia than of Aboriginal society. It is a facet of our civilised society that we do not often hold up to the light. An important fact that we do not seem to have learned from yet is that many adults who assault children in their care were themselves abused as children and tend to perpetuate the cycle of horror, each generation sowing the seeds of violence in the next. In most cases, such child abuse is not deliberate, nor the result of malice. It can be a momentary rage provoked by a minor incident. It is usually because of an inability to cope with stress or a misguided response to the problems of rearing children in hard circumstances.

There are some features of life in the Territory which increase the risk among newly-arrived people. These include the harsh climate, a lack of friends and extended family and the need to adjust to a new way of life. Mothers looking after children alone during the day and lacking friends with whom to share their worries are at risk. Single parents face even more difficult challenges in successfully rearing children. Whether people live in Aboriginal communities or Darwin's northern suburbs, contributing factors can be social isolation, lack of support from family and friends, alcohol or other drug abuse, unemployment and financial problems or simply lack of experience or understanding when faced with difficult child behaviour.

Sexual assault of children is a different matter. Although the rate of reporting this type of abuse is on the increase, possibly due to greater publicity and community awareness, the estimated incidence of sexual abuse is much higher. In more than 90% of reported cases of child sexual abuse, the victims are females and the perpetrator is an older male. It is also now clear that stranger danger is only a very small part of the problem. In about 85% of cases, the offender is someone well known to the child. Most commonly it is father, uncle, brother, stepfather, grandfather or some other relative or a family friend. Although it may be more comfortable to maintain the myth that offenders are strangers or that they are sick or perverted, the facts show that the typical offender is generally known and trusted by the child and would be regarded by most people in the community as just an ordinary man.

Offenders are likely to offer a range of excuses for their behaviour in order to justify their actions but it must be made clear that a child victim could never be said to be able to make a free and informed decision in such circumstances and could never be said to have given consent. The impact of sexual abuse on children can be very traumatic. The experience can damage their self-esteem and confidence and can affect their ability to share healthy, trusting relationships with members of the opposite sex as adults.

Other harmful effects of sexual abuse become evident when measured as a factor in statistics which are pointers to the general health and well-being of our society. 40% of female inmates in Australia's drug rehabilitation centres, almost 40% of female inmates of our psychiatric institutions and 70% of our prostitutes were victims of sexual abuse as children. A large proportion of juvenile offenders have also been victims of child abuse. Statistically, any child maltreated in this way is far more likely than others to end up in an institution of correction later in life. From the first instance of abuse or mistreatment, these children are being taught that they are of little worth to people whose opinions count more to the child than any other's.

Mr Speaker, these facts compel me to ensure that child abuse does not remain a taboo subject. It is having a marked impact on our community and we cannot pretend otherwise in the hope that it will somehow go away. All of us have a responsibility to help both victims and offenders. There is a small group of professionals in my department who handle research and other work in this area. Community welfare workers provide a dedicated and valuable service in the investigation and reporting process and follow-up support to families and children. Health workers and the police also make important contributions.

The problem will not disappear, however, if the rest of the community leaves it all up to officialdom. Child abuse is a problem which cannot be solved without widespread awareness and involvement in our community. In the Northern Territory, powers to protect children from abuse are covered by provisions of the Community Welfare Act. The principles underlying the act are, firstly, that the best interests of the child are the primary concern and, secondly, that the child's best interests are normally served by growing and maturing within a caring family environment. Provisions for mandatory reporting of child maltreatment were introduced in 1982 and go further than any similar legislation in Australia.

When a welfare officer has received a report of suspected abuse, staff are empowered to conduct an investigation. If the report is substantiated or the child appears to be at risk, welfare workers offer a range of support services

to help the family improve the standard of care to the child. If the situation is judged to be dangerous for the child, officers are empowered to remove the child. Whenever a child has been removed, the case must be brought before a Justice of the Peace within 48 hours to seek a holding order. Any application regarding future care of the child must go before a court within 14 days.

The Community Welfare Act established child protection teams to review any actions taken under the protection provisions and to coordinate the activities of the various agencies involved. This occurs at regional level around the Northern Territory so that local knowledge and experience is applied. Representatives are provided by the police, the Department of Education and medical practitioners. The act also includes special consideration of Aboriginal child matters. It allows for increased involvement of Aboriginal communities in various areas of family care. In child protection cases, the main concern of welfare workers is the safety of the child and the support of the family. They have no role in the prosecution of child abusers. If, however, in the course of an investigation, it becomes apparent that assault or incest has occurred, the worker must inform the police who then conduct their own investigations.

When considering such legislation, we must appreciate the delicate balance that exists between the need to protect children and the fears of heavy-handed legal intervention within a family. Welfare workers must always be conscious that a child victim could be under irresistible pressure to hide the crime and protect the offender. If families close ranks to protect their main provider from incarceration and themselves from unwanted publicity, the net result will be that many children have less hope of protection. Another dilemma is that, in some cases, a child victim of sexual or physical assault might not understand that such treatment is wrong legally or morally. Child abusers need to know that, where possible, the government will put all available resources into fighting this problem. Their abhorrent behaviour will not be tolerated and offenders must understand that they can, and should, change their behaviour patterns.

Mr Speaker, I have asked my department to give high priority to the development of new initiatives in respect of this problem. We must be prepared to look at a range of options if we expect to achieve some success. I do not imagine that we will rid the Territory completely of this menace but all responsible adults must be encouraged to make our community safer for children. Offenders would do well to stop exploiting or hurting their children immediately. If they cannot, they should be encouraged to seek professional help or counselling as soon as possible.

My departmental officers place considerable emphasis on preventive effort to combat child abuse. In the interests of supporting the well-being of the family, the department provides a range of services designed to remove the possibility of maltreatment. These include counselling, respite care and training courses in social and financial skills. Welfare workers are also trained to ensure that at-risk families get assistance, where available, from other government agencies. A scheme introduced recently with the cooperation of some teachers is the Protective Behaviours Program. Its main purpose is to train children in avoiding abuse. They are encouraged to have confidence in their feelings and their ability to say 'no' to potential abusers. I hope to expand this program and eventually to see it become part of the Northern Territory school curriculum.

Welfare officers have begun distributing a book entitled 'Children at Risk' among professionals who might see evidence of child abuse during their daily work: doctors, nurses, schoolteachers, child-care workers etc. The book explains what child abuse is and outlines the responsibility of professionals, under the act, to report suspected child abuse. This government also funds women's centres in some Aboriginal communities which have begun programs to improve child care. They generally cover good nutrition for children and training in cooking, budgeting and shopping as well as the use of bush tucker. In some communities, welfare workers have met resistance in the past because of an historical association with government programs which separated children from their parents. However, those attitudes are changing. These days, Aboriginal families getting together to discuss a child in need of care will often invite a welfare worker to attend. This is a significant advance in terms of the credibility of child protection services in rural areas. Grants programs run by the Department of Health and Community Services also support many community groups which provide services in the child and family welfare area.

I see a need to develop more public awareness of child abuse and its impact on our community and to develop government resources to combat and prevent its occurrence. This will include research and statistical work to help with early recognition of situations where children might be in danger and the establishment of training and counselling courses for community groups to improve parenting skills.

In conclusion, Mr Speaker, problems such as child abuse are rarely raised in public discussion in our society although we might agree that, far too often, children in our community suffer. The very people these children should be able to go to first for help and reassurance are their abusers. If we do not speak out, these children could see our silence as condoning repugnant behaviour. We cannot afford to adopt a head-in-the-sand attitude towards this subject. The consequences, as I have pointed out, are horrific. Conventional wisdom tells me that it is best to avoid taboo subjects like this. There is no electoral value in pricking the community's conscience. But the silent child victims in our community, those who cannot speak out for themselves, need our support. I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Speaker, I very much welcome this statement from the minister. I can assure him that the opposition will adopt a bipartisan approach to what he has recognised as an enormous problem that has been forced on the attention of the community and this legislature by statistics that have become available. I will say that that bipartisan approach will not be uncritical but it certainly is not a subject for fiery debate. I listened carefully to the minister's statement and I very much appreciated the maturity of its contents and the sensible approach taken towards the problem. I will not dilate on that. I have a number of areas on which I wish to make comment.

The honourable minister said that he believes that a better understanding of the problem among the general public will have a positive effect on the incidence of child abuse and thereby the overall health of our community. We have no problem at all in agreeing with that. As I say, our approach to the matter is essentially a bipartisan one.

The honourable minister referred to the 1982 legislation that introduced mandatory reporting of instances of child abuse. I was, of course, aware of the fact that the Territory led Australia in this regard. As a result of that mandatory reporting, it appears that there has been a significant increase in

the amount of child abuse. However, what has happened is that, because the reporting of it has become mandatory, more of it has come to our attention so I think the legislature and, dare I say, the CLP government made the right move there. Actually, the Channel 8 representative in the press box can go home now because there is too much bipartisanship on this particular matter for it to be at all newsworthy. As the honourable minister mentioned in his statement, the mandatory reporting requirement has brought to our attention a much greater number of allegations of child abuse and, consequently, substantiated child abuse.

I must admit I am not fully aware of the Australian Law Reform Commission reference on child abuse. It is an area on which I do not claim to have done a great deal of personal research. Intuitively, I have a few comments about the 4 areas that the honourable minister referred to: physical assault or abuse, physical neglect, sexual abuse and emotional neglect or abuse. The question of intent arises in respect of this problem. The law recognises that and cases of incest result in criminal proceedings. Likewise, in cases of physical assault, criminal proceedings ensue. With physical neglect, intent is more difficult to establish and, with emotional neglect or abuse, establishing intent is extremely difficult. I am not sure how you can establish that somebody intends to inflict psychological damage on a child or how you establish that somebody intends to abuse a child emotionally. I am open to argument about that. It seems to me that the 4 headings under which this issue is being dealt with need to be subdivided, and that that particular area needs to be given more consideration.

The honourable minister made some comments in relation to child abuse in Aboriginal communities. He said that there was relatively little sexual abuse, but considerable physical neglect. I think it is worth placing on the record my thoughts about that, and I have a couple of them. I think the minister and the government have a problem in this area, quite frankly, and it stems from their mainstreaming policy. I think the policy of mainstreaming in this regard, and much of the mainstreaming in respect of government services in Aboriginal communities, is faulty. I think it is faulty conceptually, if you like, Mr Speaker. It is not a thoroughgoing mainstreaming approach. For example, we have a community government scheme through which we endeavour to come to terms with the different structure and the different relationship with majority society that Aboriginal communities have. I would suggest that the issue of the physical neglect of Aboriginal children in Aboriginal communities needs to be considered separately.

The word 'neglect' implies an intent to make a child suffer. With respect, I say that I have no experience of that. In particular cases, I have seen Aboriginal kids fall through the net of the extended family and suffer seriously, but I am sure that, in the cases that have been drawn to my attention, the parents and extended family would be absolutely horrified if those people thought that they were being accused of actively and with intent causing physical harm to those kids. I cannot ...

Mr Dale: Petrol sniffing?

Mr BELL: I cannot think of an example of it. I pick up the interjection from the honourable minister. We are going a little beyond the paper here by talking about petrol sniffing. I think it reaches a long way down into issues in Aboriginal communities that I do not pretend to understand properly. I just offer this for the consideration of the honourable minister and people in his department. Aboriginal people carry in their heads very different ideas about what being 'sick' is, and what causes you to be sick. Believe me,

nobody could be more distressed than I am to see some of the effects of petrol sniffing. I think that there are real problems in terms of what Aboriginal people believe about being sick, that is all, and that creates huge problems for the development of government policy in this regard.

I qualify that by saying that I am speaking relatively unprepared on that particular subject, but I am not happy with the question of Aboriginal communities and the situation of children therein being dealt with in the context of this statement. That is basically my point. A lack of resources in the honourable minister's department may be part of the reason, but I think it stems largely from the problems of this mainstreaming policy. There are certain issues that should be split off there. The basic thrust of the statement is to talk about physical and sexual abuse of children in the suburbs of the Territory. Towards the end of his paper, the minister referred to child abuse being largely a suburban phenomenon. I cannot find the exact form of words that he used in the paper.

On that subject, I will mention something that did not find its way into the statement. I would suggest that the relative absence of extended families in the Territory may have something to do with it.

Mr Dale: I covered that.

Mr BELL: Yes, the minister did refer, on page 7 of his statement, to some features of life in the Northern Territory that affect new arrivals, a lack of friends and family and so on. I think that the absence of an extended family is crucial.

My central comments refer to the minister's actions in this regard. On page 13 of his statement, he said: 'I have asked my department to make the development of new initiatives in this problem area a high priority' and 'We must be prepared to look at a range of options'. He went on to refer to departmental officers placing a great deal of emphasis on the preventive effort to combat child abuse. He said: 'The department provides a range of services designed to remove the possibility of maltreatment occurring, including counselling, respite care and training courses in social and financial skills'.

I am not sure that there is anything particularly new there. I do not really think that those particular activities can be fairly described as initiatives. He went on to refer to the Protective Behaviours Program and my information is that this program is an excellent one. Its purpose, as the minister said, is to train children in avoiding abuse, to encourage them to have confidence in their feelings and to learn how to say no to potential abusers. He went on to say that he hoped to expand this program and eventually to see it become part of the Northern Territory school curriculum. I would be very interested to hear from the minister how he will endeavour to do that with current staffing levels. I will discuss later the question that I raised with the minister last week about out-of-hours work by his child protection teams. If there are resource problems, I wonder how he is hoping to expand this program.

Another brownie point I must pass on to the minister is the distribution of the book 'Children at Risk'. As the minister said, that particular book has been passed out among professionals who deal with children in their work - teachers, nurses and child-care workers. I understand the book had a very lengthy gestation but it is pleasing to see it hit the deck eventually.

Let me turn to the question of community welfare workers and announce an idea that I believe can be taken on board. The honourable minister referred to child protection teams that operate on a regional basis. It is here that we have something of a problem. The child protection teams were established under the Community Welfare Act. The child protection investigations are undertaken by community welfare workers located in regional offices, as the minister said in his statement. These officers have a range of qualifications and experience. Usually, within a few weeks of their commencement with the department, they receive in-service training in the specialised and sensitive field of child protection.

I understand that there are some concerns about this in-service child protection training program. In fact, there has been a suggestion that, rather than an in-service program, it should be a pre-service program. I would appreciate the minister taking that on board. The wages of community welfare workers in the Northern Territory are low. I know, for example, that the wages for such people are higher in Western Australia and that there is a need to attract qualified community welfare workers to the Territory. We do not have enough of them and there is a need for this pre-service training program.

Last week, I drew to the House's attention the fact that virtually no child protection investigation work is conducted outside office hours. Until May 1987, welfare workers were expected to be on call at night. As I understand it, they received the grand sum of $4.80 plus payment at the rate of time-and-a-half for a minimum of 2 to 3 hours of out-of-hours work. They believed that the importance of their work and the risks taken were not commensurate with the pittance of the after-hours allowance and I understand that, in May last year, they refused to provide a service after hours until a suitable allowance could be negotiated. Apparently, negotiations are continuing with the Office of the Public Service Commissioner and the question of call-outs has been dispensed with in Nhulunbuy and Tennant Creek.

In the interim, the department has seen fit to direct senior staff to be available for call-out. Some of them have had absolutely no experience or training in the area. I suggest that that is a problem that needs to be addressed. Wage levels and after-hours conditions have to be such as will enable us to retain the services of able people in this particular work. I would very much like the minister to address that issue when he sums up the debate on this statement.

Using senior departmental staff to carry out this work after hours is analogous to the Minister for Health and Community Services performing surgery at the Royal Darwin Hospital. He is not trained to do that and senior departmental officers are not trained to carry out child welfare work. I hope that the minister will take that on board. The fact is that additional and qualified staff can only enhance the current situation, reducing pressure placed on present staff. I hasten to add that there is massive pressure on staff because of low numbers and wage levels. It results in burnout and massive turnover in these positions. We have particular problems with the small size of our population and the lack of anonymity which contributes to the stresses on people who perform this work.

As the minister said, community education is a vital component of any child abuse offensive. I understand that staff from the Department of Education and the Department of Health and Community Services have been involved in the Protective Behaviours Program for 2 years and that much of that has been done in their own time. The program aims, as the minister said,

at teaching children how to protect themselves from forms of unwanted harrassment. I am happy to place on the record that this is a valuable and proven program which requires recognition and adequate resources. I stress the need for adequate resources. If there is something missing from the minister's statement, it relates to this question of adequate resources. The minister referred to strategies aimed at enhancing the roles and work of staff in this area and that is to be applauded. I would appreciate, however, some additional comment in relation to resources. Obviously, in some quarters, it is being asked why that issue has been neglected in this statement and for some considerable time.

Let me briefly outline a positive suggestion from the opposition to support and augment the work of the child protection teams. The minister would be aware that community welfare workers do not act alone when reports are received. We suggest that a specialist child protection team should be set up to provide casework support for the community welfare workers, who may not necessarily themselves have received training in the field other than through the in-service child protection training program. I would suggest that there is room in the Territory for a professionally qualified, high-powered child protection team that can provide some back-up support in terms of advice and so on. I would suggest that such a specialist child protection team should include social workers and psychologists and that they could be used as a resource for training and decision-making in particular cases. I am quite sure that there is a problem of professional isolation among community welfare workers and that the work of the regional child protection teams referred to by the minister could be augmented and supported by such a back-up group.

I want to refer to the minister's comment at the bottom of page 15 concerning the need to develop more public awareness of child abuse and its impact on our community, and to develop relevant government resources. He said that this would include research and statistical work. I would suggest that we know the facts about child abuse. The minister has presented them to the Assembly today. I suggest that there is a need, as the minister said, to develop government resources but that these should not be devoted to paper shuffling. What is needed is people in the field. Human resources do not come cheaply but I believe that we need some additional commitment from the minister about ways and means of tackling the problem practically.

In conclusion, the opposition is more than happy to join with the government in a bipartisan approach to this serious problem. The opposition recognises the inherent difficulties in and the inherent unpopularity of tackling issues of this sort. We do not want to duck the issue and we do not want to use it for cheap political point-scoring. I trust that my comments about Aboriginal communities, the need for a specialist child protection team and the need to resolve the industrial issue with the community welfare workers, are taken as positive contributions and that we can ensure that public policy is pursued so that it diminishes, if not extinguishes, the difficulties experienced in this area.

Debate adjourned.

PERSONAL EXPLANATION

Mr HATTON (Chief Minister)(by leave): Mr Speaker, I would like to make a personal explanation in relation to a number of statements and allegations made in this Assembly yesterday by the member for MacDonnell in regard to pastoral inspections mentioned in the Warumungu Land Claim hearing. First of

all, let me explain again to honourable members why there is a code of conduct, which I put in place as Minister for Lands, under which pastoralists and the Department of Lands and Housing operate.

This code of conduct amounts to no more than requiring common courtesy on the part of all concerned. Regardless of the type of inspection, the following procedure is to be followed. The lessee or the lessee's manager is to be advised in advance of both the expected date of inspection and its purpose. This notification is to be given either by letter or by telegram and is to confirm verbal arrangements made by telephone. On arrival on the lease, and wherever practicable, contact is to be made with the manager or the owner and an interview is to be conducted prior to any inspection being carried out. At this interview, the manager-owner will be asked whether he wishes to accompany the pastoral officer during the inspection. Where a lease is in default, the manager-owner may wish to avoid the officer seeing certain things. A joint inspection is not intended to restrict the movements of the pastoral officer on the lease and this fact should be conveyed to the manager-owner during the initial interview.

Following the completion of the inspection, the pastoral officer will discuss the results and findings of the inspection with the manager/owner. To date, this has included the officer discussing his intended recommendations and the actions that may or will follow, particularly those responses required by the pastoralist to default notices that may be sent. This definitely allays fears and reactions that default notices produce if they turn up out of the blue. Two reports are to be prepared, one factual and one in respect of recommendations. On completion of the factual report, a copy is to be sent to the lessee for comment within 14 days. For routine inspection, the recommendations of the report may be included. For all other inspections, where a decision is required by either the minister or his delegate or which will be subject to a recommendation from the Land Board to the minister, recommendations will be in the form of a separate memorandum and will not be sent to the pastoral lessee or his representative. In cases where, for specific reasons, it is known the results of an inspection will be contentious, the manager or owner must be given the opportunity to be present during the inspection. Further, on no account should the inspection proceed prior to personal contact being made. In such cases, it may be desirable for a senior officer of the department to accompany the pastoral officer and adequate written notice - 2 months minimum - must be given.

The code of conduct was introduced, after discussions between myself, the Cattlemen's Association and departmental officers, to overcome difficulties which were being experienced in having pastoralists aware of inspections. The aim of the inspections was to ensure that information on departmental files was accurate and to provide the best factual basis for any actions needed to be taken by the administration and pastoralists.

The inspection which gave rise to the allegations made by the member for MacDonnell was, of course, of Singleton Station. That inspection took place in November 1986 and was arranged so that it could be ascertained whether defaults, which mainly related to fencing, could be lifted or not. In accordance with the code of conduct, arrangements were made for the inspection with Mr Heaslip and a mutually convenient time agreed on. The party consisted of a departmental pastoral inspector, the Assistant Secretary South who was responsible for the administration of that region, the lessee and the lessee's solicitors. The inspection took place over 2 days and virtually all parts of the property were visited. In passing, I can assure members that Mr Hockey did not drive 4000 km or 5000 km to attend this inspection, as stated by the

member for MacDonnell. From personal knowledge, I can assure members that Mr Hockey did not waste his time travelling unnecessarily about the Territory.

Following that inspection, the pastoral inspector prepared a report. That initial report was amended, at the suggestion of the assistant secretary, in regard to factual matters. No part of the report dealing with covenants, compliance with covenants or technical assessment of the property was altered in any shape or form by anyone.

Mr Speaker, yesterday the member for MacDonnell referred ...

Mr LEO: A point of order, Mr Speaker! The Chief Minister has just cast aspersions on evidence that has been submitted to a court. He has denied the evidence that has been submitted to a court.

Mr SPEAKER: To which standing order does the point of order relate?

Mr LEO: If you will excuse me, Mr Speaker, I will search for the number of the standing order to save you the trouble. The Chief Minister has abused the privilege of this House. I can stand here for the next 5 minutes and search through standing orders, but it is a fact that they do not allow any member of this House to cast aspersions on evidence which has been given in court. Whilst the matter may no longer be sub judice, because the hearing has been concluded, the Chief Minister is now casting aspersions on the determination of the court because that determination was made on the basis of evidence provided to it. He is now disputing the determination of that court in this House.

Mr SPEAKER: There is no point of order. Members will be prevented from casting any aspersions on the decision of a court. Evidence presented to a court is, however, another matter.

Mr HATTON: Mr Speaker, yesterday the member for MacDonnell referred repeatedly to the proceedings of the Warumungu Land Claim hearing before His Honour Mr Justice Maurice. The honourable member raised an allegation of the amendment by senior officers of reports prepared by professional officers. I would like to take the opportunity to quote from the proceedings of that hearing. Mr Houston was cross-examining Mr Hockey.

> Houston: Mr Hockey, you have mentioned to us that were some minor things in the report which has been tendered in evidence that were changed from your original draft.
>
> Hockey: That is correct.
>
> Houston: So there was nothing out of the usual in this report, in the corrections that were made or the changes that were made?
>
> Hockey: No.
>
> Houston: The report that you finally did in December, you signed? That went out under your name?
>
> Hockey: That is correct.
>
> Houston: You certainly would not be putting your name to something that was not true and correct?

Hockey: That is correct.

Houston: Is everything that is in that report, as far as you are concerned, true and correct?

Hockey: That is right.

The member for MacDonnell has made much play of the fact that a senior officer of the department accompanied Mr Hockey on that inspection. Mr Speaker, please recall the code of conduct that clearly anticipates situations where a senior officer might attend an inspection. A default notice is obviously a matter for concern by any pastoralist and it was entirely within the spirit of the code of conduct that a senior officer attended that inspection. It was by no means the first time that that had happened. In fact, I would expect that, as a proper part of administration, senior officers should get out of their offices, meet pastoralists and see what is happening on the ground. In fact, they do.

On the Territory Extra program on 2 March 1987, Mr Graham Buckley, a solicitor representing the Singleton Pastoral Company, was interviewed by Mr Matt Peacock and, Mr Speaker, again allow me to quote from the transcript of that program:

The Reporter: Of course, it has been suggested that there is political patronage, that it is worse than a fair deal, that in fact he has been given preferential treatment or favoured treatment.

Buckley: I can clearly put that to rest. In late 1968, when I was surprised at the impending inspection by Mr Hockey, I made submissions to the Department of Lands that Mr Hockey should not attend on the pastoral inspection due to the animosity that clearly exists between the 2. Things got to the stage where they virtually cannot speak to each other. The Department of Lands in Alice Springs rejected that submission and insisted that Mr Hockey attend on the inspection. In fact, Mr Hockey is to make another inspection and the Department of Lands have insisted that he conduct that one as well.

I point out, of course, that no one is favoured in the government's effort to ensure that the land resource of the Territory is managed properly, including the President of the CLP - and he did not hold that position at that stage, Mr Speaker - who was the recipient of the notice that gave rise to this inspection.

The comments by the member for MacDonnell yesterday were utterly disgraceful. The code of conduct for pastoral inspectors is a responsible document which sets out guidelines for officers who are required to carry out a complex and important task and whose recommendations may have a great impact on the livelihood of people. The honourable member has engaged in selective quoting and has cast aspersions on the character of a number of people under the privilege afforded by this House.

SPECIAL ADJOURNMENT

Mr COULTER (Treasurer): Mr Speaker, I move that the Assembly, at its rising, adjourn until Tuesday 17 May 1988 at 10 am, or such other time and or date as may be set by Mr Speaker, pursuant to sessional order.

Motion agreed to.

MOTION
Select Committee on Constitutional Development

Mr HATTON (Chief Minister)(by leave): Mr Speaker, I move that the time for reporting by the Select Committee on Constitutional Development be extended for a further 12 months.

The Constitutional Development Committee was required to report within 12 months of its re-formation at the beginning of last year. It would therefore be required to report by the next sittings. The committee was to have carried out a considerable amount of its work by that time. It is the request of that committee that it be given a further 12 months to properly carry out the tasks that were established under the terms of reference.

Motion agreed to.

FIRE SERVICE AMENDMENT BILL
(Serial 70)

Bill presented and read a first time.

Mr HATTON (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

The Fire Service Amendment Bill seeks to provide legislative authority for the fire service to charge a fee for attending false alarms and emergencies as well as actual fires. At present, section 95 of the Fire Service Act permits the fire service to charge a fee only for attending actual fires. There is no mention in section 95 of the fire service being able to charge a fee for attending a false alarm or an emergency such as a chemical spill or a road accident, although sections 72 and 73 of the act refer to emergency and clearly infer that the fire service should attend fires and other emergencies.

From the latest available statistics, between 1 January and 31 December 1986, the fire service attended a total of 1600 false alarms throughout the Territory, 160 of these being malicious and 1440 due to accidental operation or system malfunction. To try to obviate this problem and encourage more responsibility towards maintenance of fire alarm systems, it is proposed that individuals, businesses and or departments may be charged a fee when the fire service attends a false alarm when the calls to those same premises are deemed excessive.

The provisions of the bill do not include a definition of 'excessive' nor how the system will operate. These other matters will be addressed by instructions issued by the Director of the Northern Territory Fire Service in the form of a general order. Section 54 of the act provides that the director may issue such general written orders as are necessary to ensure the good government and efficient working of the fire service. It is envisaged that a fee may be charged after the fire service has already attended 3 previous false alarms at the same premises within a 28-day period. The bill gives the director a discretion as to whether or not to charge a fee so that, even after the fire service has attended 3 previous false alarms in a 28-day period, a fee need not necessarily be charged. This is because there are a number of unavoidable causes of automatic fire alarms being activated such as lightning strikes.

Other factors will also be addressed in the general order such as, for example, taking into account that the Royal Darwin Hospital has hundreds of detectors while a small business will have only a few. Charges therefore will not be made indiscriminately, but only after due consideration of the facts. Of course, once the provisions of the bill are enacted and it becomes known, regular testing of their alarms by the business community should ensure that charges are avoided. The charges to be levied will be taken from schedule 4 of regulation 33 of the Fire Service Regulations and will depend on the equipment and personnel that attend in response to the false alarm. I commend the bill to honourable members.

Debate adjourned.

MINING AMENDMENT BILL
(Serial 88)

Bill presented and read a first time.

Mr COULTER (Mines and Energy): Mr Speaker, I move that the bill be now read a second time.

The background to this bill is similar to that which caused this Assembly to pass the recent Validation (Mining Tenements) Act. This amendment will remove a legal doubt that has arisen in relation to certain mining titles held under the repealed Mining Act.

Members may recall that the previous Mining Act allowed the grant of dredging claims over areas of up to 300 acres or 121 ha whereas the 1980 act limits the area of a mineral claim to a maximum of 20 ha only. One of the saving provisions, section 191(17) of the 1980 act, gave holders of such dredging claims 12 months to apply for a mineral claim in substitution for their previous title. It has been suggested that such holders should have repegged the dredging claims to ensure that the area was 20 ha or less.

Section 191(17) never envisaged that holders would need to repeg and make application for up to 6 mineral claims just to continue their rights. Can you imagine, Mr Speaker, the administrative burden on the Department of Mines and Energy if, for every dredging claim, up to 6 new applications were required to be processed. In addition, the miner would have physically to place an additional 20 pegs in the ground just to retain his rights.

The Mining Act was never meant to place an administrative burden on the industry. In fact, it was brought into law with the purpose of rationalising that vast number of different titles available under the repealed act. However, as in the previous case, the validity of such titles has been questioned. I am informed that a legal argument could be mounted to justify the validity of such grants. But to what end? 99% of the industry relied on that section to convert their titles. They believed, as did the department, that they understood what the section meant. It is only now, some 5 years after the act became law, that the intent of the section has been questioned.

If the government waits for legal determination, a process that could take a number of years, uncertainty will be created in the industry. A number of these converted dredging claims have had millions of dollars invested in them and that investment could be at risk. The only people to benefit would be the lawyers. The miners who take the risks and do the work, and the Territory, would be the losers. This is a situation that the government cannot ignore or tolerate.

Mr Speaker, honourable members will readily accept that it is essential that this proposed amendment to the Mining Act be passed. In addition, the amendment repeals sections of the Mining Act that concern other provisions relating to the conversion of titles from the repealed act. As the time needed for such conversion has now passed, they are superfluous in the current act and it is therefore proposed that they be repealed. I commend the bill to honourable members.

Debate adjourned.

TRAFFIC AMENDMENT BILL
(Serial 87)

Bill presented and read a first time.

Mr FINCH (Transport and Works): Mr Speaker, I move that the bill be now read a second time.

This bill will make 2 amendments to the new Traffic Act which was passed by this Assembly in September last year but is yet to commence. The first deletes section 48 and the second is a minor change to section 33. Section 48 was included to ensure that the rules of the road which apply to motor vehicles apply equally to riders of horses, and bicycles and other non-motorised vehicles. It is a similar provision to section 37A of the current Traffic Act. I am now advised that the section has much wider ramifications than intended through the use of the word 'act' in the section rather than 'regulations'. This means the drink-driving provisions will apply to persons riding bicycles or animals and that any driver who is disqualified from driving is precluded from riding a bicycle or a horse. It could also be read as requiring a person without a driver's licence to have a zero alcohol level while riding a bicycle. Of course, this was never the intention.

I am also advised that, because of the way the regulations are now being written, section 48 will not be needed. Where the regulations are to apply to motor vehicles only, the words 'motor vehicle' are to be used. Where the regulations require all traffic to obey, the word 'vehicle' is used. This covers persons riding horses, bicycles and in animal-drawn vehicles.

The second amendment is to section 33(3) and will ensure that the provisions of section 47 are correctly interpreted. Section 47 gives police the power to move vehicles in certain circumstances without liability, including unregistered vehicles. There is some doubt that the section adequately achieves this without the addition of a provision of section 33 which deems a vehicle to be registered for the purpose of removal by the police. I would like to comment briefly on the commencement provision. The commencement provision allows the repeal of section 48 to be effectively backdated to the actual time of commencement of the principal act so that the benefits of the new act will not be delayed. Mr Speaker, I commend the bill.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent 2 bills, the Administration and Probate Amendment Bill (Serial 95) and the Public Trustee Amendment Bill (Serial 96) - (a) being presented and read a first time together, and 1 motion being put with regard to, respectively, the second readings, the committee's

report stages, the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

ADMINISTRATION AND PROBATE AMENDMENT BILL
(Serial 95)
PUBLIC TRUSTEE AMENDMENT BILL
(Serial 96)

Bills presented and read a first time.

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

The purpose of the Public Trustee Amendment Bill is to amend the Public Trustee Act to increase the maximum amounts on estates the Public Trustee may administer informally. Under section 35 of the Public Trustee Act, the Public Trustee may administer a small deceased estate of under $5000 without having to obtain an order of the court. Under section 53, the Public Trustee may administer a small deceased estate of under $15 000, plus a margin for error up to $17 000, without a court order, provided that he first files an election to administer which contains the details of the estate. Both section 35 and section 53 provide a simple means to administer small estates and mean that these estates do not incur the relatively high costs and delays involved in obtaining a court order for administration in the normal way. The limits of $5000 and $15 000 were set in 1979 and, allowing for increases in the consumer price index to June 1987, the figures should be approximately $10 000 and $30 000 respectively. The Public Trustee has proposed that they be increased to $15 000 and $45 000 with a margin of error to $50 000, to keep just ahead of inflation. The government has examined this proposal and agrees. The bill also allows for these amounts to be increased by regulation at some later date.

I now turn to the Administration and Probate Amendment Bill. Any increase in the limit of small deceased estates to $15 000 will require a consequential amendment to sections 106 and 108 of the Administration and Probate Act. These 2 sections empower the Registrar of Probates to administer small deceased estates, presently up to $5000, on behalf of applicants without charging professional costs. This provision is historically kept at the same level as the small deceased estates provision in the Public Trustee Act. I commend the bills to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 83)
BAIL AMENDMENT BILL
(Serial 34)
CRIMINAL CODE AMENDMENT BILL
(Serial 35)

Continued from 23 February 1988.

Mr BELL (MacDonnell): Mr Speaker, I choose to speak at the dispatch boxes in order to impress on government members the seriousness of the issues involved in these bills. It will be clear to you, Mr Speaker, as it is clear to all members of the opposition, to independent members of this Assembly and

to the public, that we have before us one of the most important pieces of legislation that this Assembly has dealt with for a long time. The only people who do not seem to be able to appreciate that are the members of the government. The frontbenchers do not seem to be able to appreciate that. They are probably hidden a little more in the Chan Building and not quite so close to reality. I suspect that the backbenchers, who perhaps spend a little more time in their electorates, are a little nearer to this issue. I think they will be well aware of the petitions and the concern that has been expressed at public meetings about this issue.

Before I commence to talk about the principles involved in this bill and the deliberations before this Assembly, I want to pay a tribute to the interest that has been taken in this issue by a variety of groups. All members of the Assembly will be aware that there has been considerable media speculation surrounding this legislation over the last couple of weeks and all that speculation has been entirely the doing of the Chief Minister in the way that he has attempted to prevent this Assembly from giving due deliberation to this legislation. I would, therefore, like to thank the many people who have taken a particular interest in this because they are concerned that fundamental checks and balances are being disturbed and eroded. I refer not only to the trade unions, not only to ordinary working men and women but also to people who might not at all be regarded as supporters of the Australian Labor Party. I refer, for example, to the representations made by the Law Society of the Northern Territory and the Bar Society.

Mr Speaker, I seek leave to table, for example, a letter from the Northern Territory Bar Association to the Northern Territory News expressing very clearly some of the legal precedents involved in this disturbing of checks and balances.

Leave granted.

Mr BELL: Mr Speaker, lest honourable members imagine that opposition to this bill is a politically partisan position, allow me to congratulate Mr Eugene White for the stance he has taken in this regard. It is pleasing to see that the small 'l' liberal spirit still lives in the Country Liberal Party. However, I understand that the liberal spirit that quivers in the breast of Mr Eugene White may not quiver in the Country Liberal Party for much longer because I understand the knives are out to get him. Mr Speaker, I would seek leave to table his letter to the Chief Minister in respect of the amendments before us.

Leave granted.

Mr BELL: Mr Speaker, let us commence by looking at the principles involved in this legislation and the basic principles involved in criminal law. Let us look for a moment at the role of ourselves as legislators and consider what duty we have to the Northern Territory public in that regard. There are 2 fundamental principles that need to be drawn to the attention of recalcitrant government members. One of those is the need to deter and to punish offenders against the law and the second is the need to ensure that, in deterring and punishing, we protect the rights of the individual. Time and time again, we hear conservative politicians, even the less articulate ones on the government benches, rising to aver their support for one of these 2 principles. Rarely do they do so together, I might add, but I dare say that, in this afternoon's debate, we will hear some very sickening calls for law and order. However many times we may hear from government members of the rights of individuals to make a fast buck if they are mates of the Country

Liberal Party, I dare say that a more generalised understanding of the rights of the individual before the courts is very poorly developed in the members who face me here.

When members opposite rise to speak on this bill, I do not want to hear only law-and-order speeches. I want to hear a rights-of-the-individual speech too. I want to hear them carry out the very difficult job of balancing those 2 principles because that is what this legislation is about. This bill is about checks and balances. It is not simply about law and order. It is not only about horrific crimes that occur. I might say that we had reference to the abominable crime of incest and the crimes associated with child abuse this morning, and I referred to the bipartisan approach we have on those issues. I trust that, in this debate, we will not have government members standing up and trying to score cheap debating points by saying: 'We are more prepared to stand up for law and order than you mob are'. That is one caveat that I have for members of the government when they rise to speak on this legislation. I want to make sure that we get checks and balances, that we refer to both the principles: firstly, the need to deter and to punish and, secondly, the right the individual has before the courts. I suspect that the debate will degenerate into a sickening display of kicking the law-and-order can. Poor old law and order; she is a much abused woman, Mr Speaker. But, I hope that honourable members on the government benches can resist the temptation and give the old lady a bit of a rest this afternoon.

Mr Speaker, let me make a couple of comments about the role of the legislature. The role of the legislature is historically central in this regard. All the relevant cases have indicated that it is the legislature's job to assess the policy issues involved in this. The Chief Minister has made that very difficult by bringing in a new bill, less than a fortnight ago, and insisting that hard working opposition members have had the chance to consider it appropriately as well as carrying out their other tasks of shadowing shadowy figures on the government frontbench.

The central role of the legislature is easily ignored by legislators who are essentially laymen. For example, there is nobody with legal qualifications in the Legislative Assembly. Whether that is to be regretted or not is immaterial to this debate. However, the legal policy issues involved are material to this particular debate and the very existence of a parliament is predicated on the assumption that ordinary people are able to apprehend the policy issues on which legislation is based. Frequently, legislators have to get their minds around arcane topics, and that is no less the case here than elsewhere.

Just in case, Mr Speaker, the government is inclined, as it so often is, to ram legislation through and treat debate in the Assembly as some little mind game, let me draw to the attention of government members that our role is central in this regard. Our consideration of these issues, which is being absurdly hurried in this case, is central to the rule of law in the Northern Territory. Of course, there is a political problem here. That political problem is that 95% or 98% of the populace never becomes involved with the criminal law and therefore there are not too many votes in this. There are some fairly subtle understandings in this issue, and I am not sure whether there are votes in it or not. However, be under no illusion, Mr Speaker, whether or not there are votes in it, we should be giving it the sort of consideration that major legislation like this deserves. We are not doing that now.

Let me turn to the processes that have led us to the second-reading debate on this legislation today. The first version of this bill, which differed radically from the bill we have now, was introduced into this Assembly on 16 September 1987, barely 6 months ago. A variety of comments were made in relation to that particular bill and in relation to the second-reading speech, an entirely different second-reading speech, I hasten to add, from the one the Chief Minister delivered last week - and I am surprised the Chief Minister is not actually here to listen to this. He has to reply to it. Perhaps by way of an interjection, the Leader of the House can explain to us why the Chief Minister is not paying the House the courtesy of being in the Chamber.

Mr Coulter: He will be listening to these words.

Mr BELL: Mr Speaker, I think the failure of the Chief Minister to be here for this particular debate ...

Mr FINCH: A point of order, Mr Speaker! What the honourable member is saying is quite contrary to standing orders. The honourable member opposite, being a member of the Standing Orders Committee, ought to know that reflecting on the attendance in the Chamber of any member is contrary to standing orders. From one who should be the last to talk about attendance in this Chamber, I find it offensive, and it is contrary to standing orders.

Mr BELL: I will speak to the point of order, Mr Speaker. Last night, I was responsible for motions and legislation before this Assembly from about this time until almost 8 o'clock. At no stage did I leave the Assembly. In fact, at that stage, I might point out to the Minister for Transport and Works, the Chief Minister walked through and the door said: 'The Commissioner of Police would like to talk to you outside', in relation to this particular bill.

Since the Minister for Transport and Works has decided to raise this, Mr Speaker, we might as well have it out here and now. When I am responsible for motions or legislation before this Assembly, I always make a point of sitting here and listening to the debate word for word. I find offensive the fact that the Chief Minister does not bother to grace us with his presence.

Mr SPEAKER: There is a point of order. In the past, a number of members have reflected on the absence of other members. I am advised that that constitutes a reflection on a member and, as such, the point of order is upheld and I would ask the honourable member not to continue the practice.

Mr BELL: Indeed, Mr Speaker.

When the Chief Minister introduced the original bill, as I say, with an entirely difference second-reading speech from the one he delivered to us last week, he made some fairly astounding allegations. For example, he said: 'Other Australian jurisdictions are considering similar provisions'. Wrong! Let me qualify that. Other Australian jurisdictions are considering similar provisions, but to suggest that they are ramming through, in the space of 2 weeks, a particular draft, which is the clear implication of the Chief Minister's comment, is entirely false.

Mr Dale: A 6-month ram, eh!

Mr BELL: I will pick up the interjection from the Minister for Health and Community Services. I am looking forward to a constructive contribution to this debate from the honourable minister. I suspect he will be unable to rise to his feet to speak on this subject.

Let us look for a start at what other Australian jurisdictions are doing with this legislation. When he introduced the legislation last September, the Chief Minister said he was doing so at the behest of the National Crime Authority. Last week, he provided us with a copy of the letter from Mr Justice Stewart, the Chairman of the National Crime Authority. There is, of course, a clear implication in that letter that amendments to the law are absolutely essential in order to continue the fight against organised crime. You will recall, Mr Speaker, that the National Crime Authority was instituted because of the increasing amount of organised crime and the need to coordinate criminal investigation in that area. Quite obviously, the Chief Minister was under some misapprehension that this particular legislation had an important role to play in the fight against organised crime. You, Mr Speaker, with your long experience in this Assembly, and other honourable members with their close study of the case law involved, will know that not one of the relevant cases in respect of this legislation pertains to the question of organised crime. One is therefore forced to wonder why the government moved so quickly.

Mr Justice Stewart has written to the Leader of the Opposition, with a copy to the Chief Minister, saying that he is quite happy with this legislation. The 1986-87 Annual Report of the National Crime Authority makes reference to Williams Case in similar terms to those contained in the letter to the Chief Minister. The annual report indicates that the chairman wrote to the Special Minister for State and Police Ministers of New South Wales, Queensland, Tasmania, Western Australia and the Northern Territory asking that consideration be given to introducing legislation along the lines of provisions in the Victorian Crimes (Criminal Investigations) Act 1984 and the South Australian Summary Offences Act 1953 which provide that a person taken into custody for an offence shall be brought before a magistrate or other specified officer within a prescribed period.

I raise this question of the National Crime Authority's attitude and its approach to governments simply to indicate that none of the other jurisdictions which were approached have done anything. There has been a reference to the New South Wales Law Reform Commission. I draw to the Assembly's attention a discussion paper for community consultation - 'Police Powers of Arrest and Detention' - issued by the New South Wales Law Reform Commission.

Queensland has a reputation for being fairly keen on police powers. Even with the demise of Joh Bjelke-Petersen, that National Party government is still fairly keen on ensuring that the police have powers to crack heads in demonstrations and that sort of thing. Queensland generally has a reputation for ensuring that members of the constabulary have the whip hand. In fact, this very issue has been the subject of inquiry in Queensland and I draw to the attention of honourable members the Report of the Committee of Inquiry into the Enforcement of Criminal Law in Queensland. That was a report to the then Minister for Justice and Attorney-General on 29 April 1977. This is the so-called Lucas Report and it was presented more than 10 years ago. Mr Speaker, you would have thought that, in a state that was so zealous about ensuring that members of the police force had appropriate powers, particularly following an approach from the Chairman of the National Crime Authority, the government would have acted. However, let me advise honourable members that the Queensland government has not done anything.

Tasmania would have the strongest case of any jurisdiction in this country for learning lessons from Williams Case because that is where it originally came to trial. One would have expected that the Tasmanian government could have been kicked into action by the Chairman of the National Crime Authority.

Mr Speaker, I am unable to find any evidence from the Tasmanian legislature that it has made any amendment to the relevant legislation in that state. I understand that nothing is being done in Western Australia either. The one area where there has been consideration of similar provisions is Victoria. Let us look at the Victorian experience. I think there has been more legislative activity and more consideration within the bureaucracy of the issues involved in this in recent times in Victoria than anywhere else.

Mr Speaker, I seek leave to table some documents that will be of interest to honourable members. I refer to the report of the Consultative Committee on Police Powers of Investigation and Custody Investigation and a report on section 460 of the Crimes Act 1958 in Victoria, the so-called Coldrey Committee Report.

Leave granted.

Mr BELL: Mr Speaker, I further seek leave to table legislation that is currently before the legislature in Victoria.

Leave granted.

Mr BELL: First of all, I table a copy of an opposition private member's bill entitled 'Crimes (Criminal Investigations) Bill 1987'. Mr Speaker, I further seek leave ...

Mr SPEAKER: Order! Could I suggest that, if the honourable member has a number of documents, he incorporate them, identify them and then seek leave for them all.

Mr BELL: Actually, this is the last one, Mr Speaker. I seek leave to table the government bill, 'Crimes (Criminal Investigation) Bill'.

Leave granted.

Mr BELL: Mr Speaker, the issues that flow from that are these. Let us look at the Victorian experience. In 1984, the Crimes Act in Victoria was amended to institute the 6-hour time limit on a trial basis. There have been 3 reports of which the Coldrey Committee Report that I tabled has been a culmination. That particular report has sought to balance the 2 principles that I referred to earlier. Although the Victorian legislation is akin to the legislation before us today in that it allows, to use its phrase, 'a reasonable time' during which a person can be kept in investigatory detention before he is brought before the court, there were certain safeguards. I commend to the Chief Minister that he examine the Victorian legislation to see the difference between what he is proposing and what is being put forward in that state.

Mr Speaker, to return to our little saga with the Victorian legislation where particular safeguards were instituted - and I will return to the issue of the safeguards later - the only point I want to make at this stage with respect ...

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

Mr COULTER: Mr Speaker, I move that the honourable member be granted an extension of time to complete his contribution to this debate.

Motion agreed to.

Mr BELL: I thank honourable members for their tolerance in that regard.

Mr Speaker, whereas in the Victorian parliament there is a bipartisan approach to safeguards, there is not one in this House. This government has refused to accept the safeguards that its colleagues in Victoria are prepared to accept. There has been some public debate in Victoria about how good the safeguards are in the 2 particular fields. There has been debate about some relatively minor issues, but let me point out to honourable members that, on the issue of whether there should or should not be safeguards in the Victorian legislation, there is no doubt whatsoever. Both sides agree that the rights of the individual, as well as the need to deter and to punish, require such checks and balances that the safeguards, that have subsequently been the subject of consideration here, have been incorporated rather than thrown out. That is as much as I wish to draw from the Victorian experience at this stage.

Let us roll back the clock to September last year when the original bill was introduced to the Legislative Assembly. Let me indicate to honourable members that, at that stage, the Chief Minister did not really understand his own legislation. I have indicated that I suspect he was bosphoricalised by the Stewart letter. He thought: 'Ooh, ooh! We had better do something here'. Instead of ringing up his mates in Tasmania or Queensland and finding out what they were doing, he decided that it was a good solid law-and-order issue and that there might be votes in it. The Chief Minister has found out that that is not quite the case.

Mr Speaker, let me indicate the extent to which the Chief Minister did not understand the bill that he presented to the parliament. Let me refer to an interview that he gave on ABC radio on 23 September, not long after the bill had been introduced to this parliament. He was referring to the 4-hour limit in South Australia and the 6-hour limit in Victoria. He said: 'Well, those sort of rules may work very successfully where you have night courts in Sydney or Melbourne but it is very different if you happen to be at Kintore or Papunya'. I appreciate that, since the Chief Minister abides in a fairly sequestered little corner of the northern suburbs of Darwin, he is perhaps less familiar with some of the further-flung corners of my electorate than I am. However, if he is going to introduce major legislation like this into the Assembly, I expect him to be aware, or to be made aware, of some of the precedents that apply in this particular case.

I am surprised that, in the public debate that has been generated in the last couple of weeks because of the insistence of the government on gunning this forward, no reference has been made to the case of The Queen v Collins. That name may mean very little to honourable members; I suspect the Huckitta murder means rather more. Mr Speaker, I know that you would have been associated personally, as I have been subsequently since that area has been included in my electorate, with the family of the victim of this particular crime. However sad that circumstances might be, the central issue in this particular debate is the question of admissibility of evidence. For the sake of this debate, let us ignore the emotive aspects of that particular case and concentrate on the facts.

At 8 pm on 31 December, the perpetrators of this crime - several young people and an older woman who had been involved in the party - were arrested. At 3 am on New Year's Day, their parents were contacted some 200 to 250 miles away by road at a settlement in the vicinity of Alice Springs. Prior to this, I should say, that the suspects had been taken to the Harts Range Police Station. At 7 am on the following day, the investigating officers arrived at Harts Range and the suspects and the investigating officers departed for

Huckitta Station where they arrived at 10 am, and a re-enactment and tape-recordings of the tragic incident were carried out. In the evening, they returned to Harts Range. On the following day and the day after that - 2 full days - there were further detailed investigations at Harts Range.

Mr Speaker, let me go back a step here. There were 2 important periods of time in which evidence was taken in that particular case. One was the period of the re-enactment at Huckitta when they went back there from Harts Range. The re-enactment and tape-recordings were done and they returned to Harts Range. The second was the evidence taken subsequently over the next 2 days at the Harts Range Police Station.

At the Supreme Court trial, the second lot of evidence, taken over those 2 days, was regarded as inadmissible. The trial judge commented that the delay in bringing the appellants before a justice was substantial and, in the exercise of his discretion, he excluded from evidence the records then taken and the tapes recorded at the police station during that latter period. But, a conviction was recorded because of the re-enactment and the investigations carried out at the scene of the crime at Huckitta Station some distance away. I am not sure of the distance. I am sure the honourable Speaker would be aware of the distance, as would the member for Stuart. However, the evidence taken at Huckitta was accepted.

The trial consisted of a contest, as the lawyers say, voire dire, about the admissibility of evidence and there was a decision to appeal the admissibility of the evidence taken at Huckitta Station as well. That was the basis of the appeal to the Federal Court that was heard before Chief Justice Bowen and Justices Muirhead and Brennan. I think it is instructive that, in this particular case, the appeal was not successful. The decision that that evidence was admissible was held to be reasonable.

To return to the misunderstandings of the Chief Minister with respect to this legislation when he first introduced the bill, the fact that a crime occurs some distance from a court does not affect per se the admissibility of evidence. It does not matter whether it is taken at Kintore, Papunya or in the middle of the Simpson Desert. When courts rule on admissibility of evidence, they take into consideration the meaning of the phrase bringing somebody before a justice 'as soon as practicable'. A variety of issues may be taken into consideration in that regard.

After the Chief Minister had received a bit of a shock with his first second-reading speech, and had found out that there were a few problems with it, he did the right thing. I will congratulate him; he did the right thing. He convened a committee comprising the head of the Department of Law, the Commissioner of Police, a representative of the Bar Association and so on, and those people considered the pros and cons of this difficult area of law and came to the conclusion that safeguards were appropriate.

During the debate last week, I tabled the draft amendments that have come to be called the 'committee amendments' in this issue. At that stage, I did not refer to the issues involved in the committee amendments, but I think that the public understands that the committee amendments embodied appropriate checks and balances that have subsequently been done away with. The committee amendments followed substantially some of the bill that I tabled earlier, the Crimes (Criminal Investigation) Bill that is before the Victorian parliament at the moment. That included these important safeguards: proposed new section 142, the right to communicate with a friend or a relative, which was similar to section 464C of the Victorian bill, and proposed section 143, the

tape-recording of confessions and the criteria for their admissibility, which was section 464H of the Victorian bill. There was also a savings clause similar to that in the Victorian legislation which put into the statute various safeguards such as that the right to remain silent would in no way be affected. It put into statute the onus on the prosecution to establish the voluntariness of an admission or confession, the discretion of a court to exclude unfairly obtained evidence and the discretion to exclude illegally or improperly obtained evidence.

For the benefit of honourable members who may not have had the opportunity to study this as closely as I have, it is probably instructive to point out that that is a discretion that the court has. There are circumstances in which illegally and improperly obtained evidence can be accepted, and the court obviously takes into consideration such questions as the seriousness of the offence and so on.

A mere fortnight ago, the Chief Minister, for reasons known only to himself, decided to toss all this out. People had put 3 days hard work into this and he simply decided to toss it out with no reasons given and absolutely nothing said. To use one of the Chief Minister's own tautologies, he decided to stick in this sheltered coward's castle rather than venture into the public arena to defend his decision to throw out the committee's recommendations. He has refused absolutely any opportunity that has been provided to him to actually address public meetings on this issue. The most glaring example was last Tuesday night at the meeting organised by the Law Society. As I said at that meeting, I regard it as a particularly spineless performance on the part of the Chief Minister to refuse to attend.

I referred earlier to the central role of the legislature. That role has been referred to by the National Crime Authority and in the judgments in Williams Case. However, the Chief Minister of the Northern Territory stays in his sheltered coward's castle and is not prepared to front the people of the Northern Territory and explain, face to face with some of the many people who are concerned about the principles in this bill, his reasons for rejecting the committee amendments.

The Chief Minister's performance has been one of the weakest that I have ever seen from anybody in public life in the Northern Territory. He pushed it on the Commissioner of Police who did a far better job than he could have done himself in a month of Sundays, and that merely rendered his own performance all the more spineless. I suggest that the Chief Minister might go back to the chamber of horrors and perhaps we can get the Commissioner of Police to take a seat in the Legislative Assembly. That is the only way that the sort of public debate that took place on Tuesday could be made to look legitimate in any way. The fact is that we are elected by the people and we are supposed to have the guts to speak in the public arena, not to push public servants out in front of us in order to duck the fights we do not like. Everybody who is involved in public life in the Territory has to face hostile audiences at times. We in the opposition do that time after time and we do it with a great deal more courage than the Chief Minister has mustered in this particular case.

Mr Speaker, I want to move on to the specific issues involved in the legislation before us. The committee amendments are instructive in this respect and I suggest that honourable members who are interested in this legislation might approach the staff of the Assembly and obtain a copy of them.

Mr HATTON: A point of order, Mr Speaker! The honourable member stated earlier that he had tabled these recommended amendments from the committee of review. I have taken the opportunity to check with the staff of the Assembly and there is no record of them having been tabled in the House and I would ask the honourable member to correct the record.

Mr BELL: I am prepared to be corrected. I failed to table them. Mr Speaker, I apologise from the bottom of my bended knee and I table them now.

Honourable members who are taking an interest in this debate and who are interested to see the horrendous destruction that is to be done to civil liberties and enshrined in statute may appreciate a copy of the committee amendments. I will place on the record of the Assembly the caveat that the copy I have just tabled was faxed to me and I suspect that there may be a paragraph or 2 missing. If that is the case, I will make amends for it afterwards. Certainly, the material is sufficient to establish the point I was making.

Proposed sections 136, 137 and 138 contain the essence of the bill before us. The committee amendments, which the government had apparently agreed to until a fortnight ago, contained proposed sections 137, 138, 139, 140, 141, 142, 143, and 143A. All those latter amendments have been removed absolutely. In fact, it is worse than absolute removal. I draw members' attention, for example, to proposed section 139(2)(a) in the committee amendments which would have allowed the court or the magistrate to take into consideration the period of time reasonably required to bring the person before a justice or a court of competent jurisdiction. That has simply been ripped out of the bill before the House.

Let me explain to honourable members what this means. I am sure that honourable members will agree that it is appropriate that a court or a magistrate should take into consideration the overall time for which a person is detained. I believe that our magistrates in the Northern Territory are sufficiently responsible to make judgments about whether the period of time for which a person is held is reasonable.

Let me look at the circumstances in the Huckitta murder case to which I referred earlier. The 3-day period was held to be unreasonable for one section of evidence but not for all of it. Obviously, the age of the accused would be important. A detention period of 8 hours, 10 hours or 12 hours might be too long a time for somebody of tender years whereas a period of 24 hours might not be inappropriate for a more mature person. In this respect, I refer honourable members to the case of The Queen v Larsen and Lee, which is one of the cases that bears upon this topic where admissibility of evidence was in question. Larsen was intellectually disabled. I think the judgment says that he had an IQ of 80. Obviously, for somebody in that position, a court will exercise discretion in such a way as not to permit that a shorter time is acceptable in that particular case.

Mr Speaker, I do not propose to go through the bill chapter and verse at this stage. We will have the opportunity to do that later, but I do want to place on the record that the opposition is implacably opposed to the removal of the safeguards that were included in those committee amendments that I referred to earlier.

After the Chief Minister had introduced the bill into the Assembly last week and brought about a blue because he said he wanted urgency for it, there

was a great flurry of concern in this Assembly and in the community. People are deeply concerned about what is occurring. I know there has been a great deal of negotiation in which the Chief Minister has been involved. After he tabled his second-reading speech, there were various other possibilities put forward. One such possibility was put forward by one of the most respected members of the Northern Territory bar, Mr Dean Mildren QC. As honourable members will be aware, Dean Mildren is not particularly well known for his pro-Labor Party views so I do not think that we can have the Chief Minister saying: 'Oh, he's just a stooge'. I am quite sure he will not do that.

For the sake of this debate, let us refer to these as the 'Mildren amendments'. If the government were hell-bent on legislating, the Mildren amendments would have got over that particular problem. Mr Speaker, I seek leave to table the Mildren amendments.

Leave granted.

Mr BELL: Mr Speaker, the Mildren amendments will cope with the issues raised in Williams Case. As the Chief Minister no doubt knows, and I am sure he is able to receive advice in this regard, Mr Mildren was prepared to spend a considerable amount of unpaid time because he believed passionately in the issues at stake. I am aware that the legal fraternity is not necessarily the most popular section of the community with many people but I believe that this Assembly owes it a debt. Whatever position you take with respect to these issues, Mr Speaker, the active involvement of the Law Society, the Bar Association and the Criminal Lawyers Association on these issues is only to be commended. We owe them a debt of gratitude. I very much appreciate the spirit with which they have provided their opinions on these issues for the public in general and, basically, on a bipartisan basis. It is a dreadful shame that the Chief Minister has not bothered to take on board the issues that they have raised.

Before I go further, I think it is appropriate at this stage to say a few words about Williams Case. From some of the public comments that the Chief Minister has made, it seems to me that he really does not understand the implications of Williams Case. On a number of occasions on radio and in this Assembly, he has attempted to perpetuate the fiction that Williams Case somehow changed the law. If he had come along to the public meeting on Tuesday night, he would have found something out. He would have found out that all the speakers, whether they were speaking for or against these particular amendments, made the point that Williams Case did nothing but restate the accepted common law position that has been adopted. The Chief Minister has attempted to say that Williams Case somehow changes something. It does not and it never has. The fact of the matter is that Williams Case merely restated a few basic common law positions. Opinions were expressed, firstly, by Chief Justice Gibbs, secondly, by Justices Mason and Wilson and, thirdly, by Justices Brennan and Dawson at different pages in the judgment. On page 4 of the judgment, Chief Justice Gibbs said:

> Many cases in Australia have established that there is now power to detain a citizen merely for the purpose of questioning him and that the desire to question an arrested person does not in itself justify a delay in bringing him before a justice.

On page 34 of the judgment, Justice Wilson and Justice Dawson quoted from The Queen v Banner:

> Police officers have no power whatever to arrest or detain a citizen for the purpose of questioning him or for facilitating their investigations.

Mr Manzie interjecting.

Mr BELL: For the benefit of the Attorney-General, that is a complete quotation. I am quite happy to provide a copy.

Let us look at another statement of the common law position on arrest for questioning referred to by Justice Wilson and Justice Dawson:

> It is beyond question that, at common law, no person has power to arrest a person merely for the purpose of questioning him. There is a string of ancient and modern case law that supports that.

The section that has been referred to in the context of this debate is the comment from Justice Wilson and Justice Dawson on page 40 of the judgment:

> If the law requires modification, then it is better done, as Justice Mason and Justice Brennan have pointed out, by legislation ...

They continue, and this is the bit that is always left out:

> ... for there must be safeguards, if necessary in the form of time limits, and they must be set with a particularity which cannot be achieved by judicial decision.

Mr Manzie: That is why the Victorians are changing their act.

Mr BELL: That is exactly right. Mr Speaker, in the context of this debate ...

Mr Manzie: Just keep going on.

Mr BELL: I will pick up the interjection from the Attorney-General. I hope he intends to make a constructive contribution to this debate. I have serious doubts about whether he will do that because I do not believe he has done too much work on this. I am looking forward to hearing what he has to say. If he had been listening intently to what I have had to say, he would realise that I discussed the Victorian experience quite fully and that this opposition has no problem with going down the track that the Victorian government is going down. The Attorney-General should get on the telephone to his Liberal mates in Victoria, Jeff Kennett and the shadow Attorney-General, and find out what they are prepared to insert by way of safeguards. I suggest that he asks the attendant to give him a copy of the opposition bill ...

Mr Manzie interjecting

Mr SPEAKER: Order! Both honourable members will address their remarks through the Chair.

Mr BELL: Mr Speaker, I certainly will.

Mr Dale: You are not used to being out there, Neil. You are just putting on a show and you are not used to the location.

Mr BELL: I look forward to the contribution of the Minister for Health and Community Services. I sincerely trust that he can sensibly discuss the Victorian legislation but I doubt his ability to do so.

Mr Speaker, I do not think I need to make any further reference to Williams Case in that regard. I think I have established quite clearly, for the benefit of honourable members, that Williams Case did nothing more than state the common law position as it was. The fact is that the Chief Minister, for reasons known only to himself, has decided to be stampeded on this matter.

I will briefly mention the 2 cognate bills because they are instructive to honourable members. I believe that, if we pass the Bail Amendment Bill today, there will be more problems. I make the prediction that there will be a continuing campaign. If the government goes ahead, the people out there who are concerned about the issues and apparently understand them better than government members do, will not cop it. I predict that, in 6 months or 12 months, other areas of the law will require amendment. That is because the principle which is being so dramatically qualified in this legislation - the right to be brought before a justice or a court upon arrest and the right not be arrested simply for the purpose of questioning - is very deeply embedded in the law. I predict that all circumstances affected by that right will not be picked up in the bills before us. I see looks of concern on the faces of people behind glass windows. Let me just assure them that, if the government goes ahead with this, they will be in for another debate like this in 6 or 12 months time when some other technicality is picked up. The amendment to the Bail Act is necessary because of just such a technicality which arises in relation to the conditions of police granting bail and police applying to court for bail. The Bail Act envisages that police would immediately take people to the court to apply for bail and, of course, that has to be qualified by means of the amendment before us.

The Criminal Code Amendment Bill is even more interesting. The Attorney-General will recall discussing this matter vociferously with me in a breezeway outside. I remember his reference to the Criminal Code. Let me read section 106 of the code. Currently it says: 'Any person who, having arrested another, deliberately delays bringing him before a court to be dealt with according to law, is guilty of a crime and is liable for imprisonment'. The government has to make sure, and this really is extraordinary, that the Criminal Code does not apply in this particular case. The law still contains provisions which existed before there was an organised and fully-paid police force and when arrests were commonly made by individuals. Provisions like that were necessary then. Very sadly, we now have to insert the words: 'except as permitted by law'. That says it all.

My final point relates to the cases referred to by the Chief Minister this morning. I do not propose to discuss these in detail because the question of admissibility, in the context of those cases, needs to be explored in more detail and further facts would be necessary. I will close simply by reflecting that it is an indication of the difficulty the Chief Minister is experiencing with this issue that he feels the need to raise issues like that. The question of admissibility, in those 2 particular cases, is by no means clear-cut. There is no reason why, under certain circumstances, evidence in those 2 cases would not be regarded as admissible.

In closing, once again I urge the government not to pursue these amendments. I do not believe that the issues, let alone the substance of the cases themselves, deserve to be treated with such haste. I believe that far greater cognisance must be paid to experience elsewhere in this country in relation to this sort of legislation.

To sum up, people's established rights and civil liberties are not something that came down from on high. They are the result of our history as an English-speaking people. The civil liberties that we enjoy are much like a house that has many rooms and interconnecting passageways. Some of us, from time to time, have occasion to investigate some of those passageways and examine the material that the walls are made of. Every now and then, a little bit of renovation is required to a brick here or there or perhaps a doorway connecting 2 rooms. In this particular case, whereas elsewhere around the country they are considering perhaps touching a couple of bricks or knocking out a window, the Northern Territory government is suggesting knocking down a whole wall. What I suggest to you, Mr Speaker, and recommend to honourable members, is that this legislation not be passed today. It is not acceptable. Rights that people have enjoyed around this country will be seriously trampled on and I believe that to be outrageous.

Mr MANZIE (Attorney-General): Mr Speaker, usually in debates in this House, one rises after another speaker, goes through the points that have been made by that speaker and tries to produce argument to show where the points made by the other speaker are incorrect. I have sat here now for 1¼ hours. I was trying to listen to what the member for MacDonnell was saying about the bill. I was trying to pick up the points that he considered were incorrect in it, to hear the reasoned arguments as to why he has problems, to understand what he was trying to say and to listen to any suggestions he may have to make in relation to the bill. However, we had none of that. I listened very carefully because I thought I might pick up something. I think it is worth while running through what the member for MacDonnell said. It was delivered at the dispatch boxes and it was quite a command performance. However, it had absolutely no substance. It is very disappointing to realise that.

I will run through what the honourable member had to say. First, he said that there need to be some checks and balances. Then he asked us not to make any speeches about law and order because that would be a disaster. He then ran through a bit of a story about the Legislative Assembly and gave his views on how we stand for election, commented that there are no lawyers in the House and that this might be a disaster. He gave his views on debate in this Assembly.

Mr Bell: The next time you want me to write a speech for you, I am quite happy to do it, Daryl.

Mr SPEAKER: Order! The member for MacDonnell was heard in relative silence.

Mr MANZIE: Mr Speaker, I know he has trouble understanding this, but I think it is important to have it on the record. Then he said that 98% of the community does not understand much about criminal law and he stated that it is a very subtle issue. He then mentioned the bill. He said that, on 16 September, there was another bill. He then cast a few aspersions on the Chief Minister, and talked about 2 weeks and then 6 months and ramming a bill through the Assembly. He still had not said what the bill was about. He then said that the states were not doing anything, but then he said that maybe they are. He followed that with a version of how the National Crime Authority is approaching this. I am sure the Chief Minister will be able to provide very concrete information to the honourable member later as to how the National Crime Authority is approaching this. He referred to the New South Wales Law Reform Commission discussion paper, the Lucas Report. He did not say what it was, but he tabled it. He gave us a bit of a run about Tasmania. He then spoke about the Victorian legislation and the safeguards in it. Again, he still had not addressed the bill before the House.

He talked about a bill being there to win votes or indicated that he believes that is why the Chief Minister introduced it. He ran through the Huckitta matter, The Queen v Collins, and that was reasonably productive as far as he went. Of course, he talked about the reason why part of the evidence was excluded which was because the time that was taken to bring the offenders before the court was not a reasonable time. It was way beyond the pale. Mr Speaker, with the changes in this legislation, if it were not a reasonable time, the evidence that would be admissible would still be restricted under those circumstances. However, he did not relate that to the bill. He came back to it a little later.

Mr Bell interjecting.

Mr MANZIE: I am simply running through this. Just listen quietly, because I will get into the nitty gritty later for you.

He returned to the Huckitta case and said that the detention of a juvenile for about 12 hours would be okay, but 24 hours might be too long. Obviously, he does not have a clue about the Juvenile Justice Act, and I will put him straight about that a little later. He mentioned the committee's recommendations but he did not tell us what they were. He then told us how he performed at a meeting, and again castigated the Chief Minister. At 3.18 pm, he mentioned the bill. He did not say anything about it; he simply mentioned it. He talked about the destruction of civil liberties, but did not explain that. He then gave his version of the magistrates' attitude but, again, did not relate that to the bill. Then he spoke about the opposition being implacably opposed to the removal of safeguards mentioned by the committee: the nitty gritty. Fine! At 3.26, he came back to the bill. He tabled the committee amendments but he did not speak about them or say what they were about. He ran through Williams Case and did a bit of selective quoting and then told us that he would be running a continuing program.

Mr Speaker, I have been somewhat bemused by the attitude of the opposition in relation to this bill. The opposition seems to support an increase in police investigative powers to overcome obvious deficiencies in them. The opposition would seem to support the recommendations made by the committee that reviewed the original bill. In his second second-reading speech, the Chief Minister outlined the committee's recommendations and the opposition has demanded the safeguards tabled by the member for MacDonnell. Let us look at the committee's recommendations, particularly the so-called safeguards - and they were not mentioned by the member for MacDonnell.

Mr Bell: They were.

Mr MANZIE: '(1) That there be a legislative statement reaffirming an accused's right to refuse to answer questions'. Such a safeguard is already provided by the common law. Absence of a legislative restatement of the provision will not detract from that right and, for that right to be altered in any way, there would need to be a specific legislative statement to that effect.

Mr Smith: How many people in police cells know about common law? Do they carry a copy in their back pockets?

Mr MANZIE: The ignorant member opposite probably would say that, because murder was not quantified in our legislation until a few years ago in the Criminal Code, it did not exist. That is the sort of argument he is putting forward. He demonstrates total ignorance of the matter. He spoke on this for

5 minutes in the second reading, and I think he should just be quiet and listen because he might learn something.

Mr Smith: Not from you, I won't.

Mr MANZIE: '(2) That there be a legislative statement reaffirming the Crown's onus in respect of proving the voluntariness of an admission of a confession'. Again, that is merely a restatement of the common law. Absence of the provision will not detract from the common law.

Mr Smith: How many people know that?

Mr MANZIE: How many people knew about murder until it was codified? I am sure the member's ignorance is profound and I hope he listens carefully because I have a long way to go, and it will be a long hard row to hoe.

'(3) That there be a legislative statement reaffirming the discretion of the court to exclude illegally, improperly or unfairly obtained evidence'. Again, a common law principle and the absence of the provision will not detract from the common law principle. The courts practice this daily, and the suggestion that it is not there unless we legislate for it is absolutely ridiculous.

'(4) That there be a provision allowing for the questioning of persons after the charge and for their release from prison'. For those who do not know, this represents a considerable advance for police investigative powers, but such a provision has not been included.

'(5) That the fixed time criteria in the original bill be removed and be replaced by a reasonable time criteria'.

Mr Bell: Criterion.

Mr MANZIE: Criterion.

Mr Speaker, as you will know, the reasonable time criterion has been accepted. I can assure you that, from a police officer's perspective, and I speak with some authority, the fixed time criterion is much better. Obviously, it is much easier from a police point of view to work within known time limits. With this legislation, there remains a degree of uncertainty whether evidence obtained after an arrest, as a result of investigation, will be admitted by the court if the court decides that the evidence was not obtained within a reasonable time. I see this 'reasonable time' approach as a considerable concession by the police. It should not be forgotten that, under these provisions, the police have no role in determining what is a reasonable time. It is for the court or justice to decide ...

Mr Smith: Pardon?

Mr Bell: You haven't read the bill, Daryl.

Mr MANZIE: It is for the court or the justice to decide. The court or the justice might decide that 2 hours is reasonable in the circumstances of a given case. It might, exceptionally, decide that, in another case, 48 hours is reasonable.

Mr Speaker, I ask honourable members to place themselves in the position of a police officer investigating a serious crime who is uncertain, until the

date of the trial, whether the evidence gained through questioning after arrest will be admitted. Think of the prospect of having the evidence rejected and wondering whether a civil action for unlawful detention will follow. A police officer's lot is not a happy one, but police know and respect the price of liberty. The police are willing to live with a 'reasonable time' approach. All that police have asked for is a fair go to question arrested persons. Some honourable members will say there are no safeguards. I ask: 'For whom?' The victim? Most frequently, in the Territory, the victim is forgotten. I for one am prepared to stand up for the victims of crime and to give the police a fair go. There are safeguards for an arrested person ...

Mr Smith: Where? Give us the evidence.

Mr MANZIE: Apart from those safeguards that I have already mentioned ...

Mr Smith: You can't depart from your script, can you? You're lost.

Mr MANZIE: Apart from those safeguards I have already mentioned that apply under the common law, there are a few more.

Mr Smith interjecting.

Mr MANZIE: Mr Speaker, isn't marvellous? What a contribution from the Leader of the Opposition. He spoke in a rush in the second-reading debate for 5 minutes and that was his contribution to the second-reading debate. The member for MacDonnell talked about nothing for 1½ hours. He didn't even mention the bill. I wish the Leader of the Opposition would be quiet and listen because he definitely needs to learn what this is all about.

As I said, apart from the safeguards that apply under the common law, there are more. Persons held beyond what is a reasonable time have civil remedies available to them. Honourable members should look at section 106 of the Criminal Code, mentioned by the member for MacDonnell, which will be amended by the cognate Criminal Code Amendment Bill. A police officer who, except as permitted by law, deliberately delays bringing a person before a court is liable to 2 years imprisonment. That looks like a safeguard to me.

Mr Leo: That is nonsense, Daryl.

Mr MANZIE: That is not all, Mr Speaker. Let us have a further look at the law. What about the Anunga Rules?

Mr Leo: How many police have been prosecuted in the Northern Territory ...

Mr SPEAKER: Order! The member for Nhulunbuy will allow the Attorney-General to be heard in silence.

Mr MANZIE: What about the Anunga Rules? No one, I hope, is suggesting that they no longer apply.

Mr Smith: The bill does.

Mr MANZIE: What ignorance! Of course those rules apply!

There seems to be great concern that this legislation will lead to a great increase of police verballing, particularly of Aboriginals. Mr Speaker, when

I speak of 'verbals', I refer to a practice whereby false evidence is given of an admission or a confession by an accused where no such admission or confession was made. Allegations of police verbals in the Territory are almost negligible and I invite any honourable member to demonstrate to me how the Crown could ever get a verbal of a traditional Aboriginal admitted as evidence with the Anunga Rules in place. It is very wrong for people to suggest or infer that that will be the case as it can only cause unnecessary fear and, unfortunately, a loss of respect for police. This legislation does not increase the ability for police to verbal people. Indeed, it decreases the propensity to verbal. The practice of verballing is a most despicable thing. The fact that such a practice has occurred anywhere clearly diminishes the standing of police. It has led to an increasing wariness by courts to admit any oral evidence of admissions or confessions where that evidence is challenged. The chances of such evidence being admitted are negligible.

Mr Speaker, that is not the end of the safeguards. We also have the police guidelines. In relation to questioning, statements, admissions and confessions, there are over 12 pages of instructions. The opening statement is interesting: 'Substantial non-compliance with the guidelines will render answers to questions inadmissible'. Of course, breach of police guidelines may also amount to an internal disciplinary offence. In effect, the guidelines incorporate what are known as the Judges' Rules and particular references are made to the Anunga Rules. There has been considerable talk about the Judges' Rules but it is obvious from comments made by the Leader of the Opposition that he does not understand what they are and how they work. For the benefit of every member of the House and the public, I will read from the Judges' Rules and table them.

The Judges' Rules were set out by judges in England in 1906. The general idea is that any evidence obtained by a policeman who has not obeyed the rules in doing so is inadmissible. The legislation before the House does not change the Judges' Rules. These are binding in terms of admissibility of evidence. I will read from them:

1. When a police officer is endeavouring to discover the author of a crime, there is no objection to his putting questions in respect thereof to any person or persons, whether suspected or not, from whom he thinks useful information can be obtained.

2. Whenever a police officer has made up his mind to charge a person with a crime, he should first caution such person before asking any question or further questions as the case may be.

Mr Smith: Where is the caution in your amendment?

Mr MANZIE: The ignorant Leader of the Opposition is not listening. The Judges' Rules remain in force. This legislation does not override the Judges' Rules. He does not understand that. This is the wording of the caution and I would ask all honourable members, including the Leader of the Opposition, to please listen and learn. The caution that is required to be given is:

> You are not obliged to say anything but anything you say may be given in evidence.

The caution is to ensure that confessional evidence is voluntary and has not been induced by police. Judges have insisted that suspects be warned or cautioned. If a confession is made without the caution, it is not taken into consideration by the courts. I return to the Judges' Rules:

3. Persons in custody should not be questioned without the usual caution being first administered.

These are binding rules. The courts will not accept evidence unless these rules have been complied with.

4. If a prisoner wishes to volunteer any statement, the usual caution should be administered. It is desirable that the last 2 words of the caution be omitted.

5. The caution to be administered to a prisoner when he is formally charged should therefore be in the following words: 'Do you wish to say anything in answer to the charge? You are not obliged to do so, but whatever you say will be taken down in writing and may be given in evidence'.

6. A statement made by a prisoner before there is time to caution him is not rendered inadmissible in evidence merely by reason of no caution having been administered but in such a case he should be cautioned as soon as possible.

7. A prisoner making a voluntary statement must not be cross-examined and no questions should be put to him about it except for the purpose of removing ambiguity in what is actually said.

Mr Smith: Goodo.

Mr MANZIE: The Leader of the Opposition thinks that this is a joke. He does not realise the seriousness of the matter and the seriousness with which judges in courts throughout Australia regard the Judges' Rules.

Mr Smith: I don't think the real world and that statement coincide somehow.

Mr MANZIE: Mr Speaker, that is an example of the Leader of the Opposition's opinion, not only of the operations of the Northern Territory Police Force but of the ability of the courts in the Northern Territory to carry out their judicial function. I believe it is a shameful reflection on the operation of the courts and the police and I hope that he realises what he has said and apologises when he has an opportunity to speak, at some stage today or later, for the aspersion he has cast on both the judiciary and the police.

8. When 2 or more persons are charged with the same offence and statements are taken separately from the persons charged, the police should not read these statements to the other person charged but each of the persons should be furnished by the police with a copy of such statements and nothing should be said or done to invite a reply. If the person charged desires to make a statement in reply, the usual caution should be administered.

All rules that police are required to follow in the investigation and questioning of offenders are safeguards. There are no ifs or buts about that. If they are not complied with, the case is thrown out. Evidence collected without the use of the Judges' Rules is not admissible. That is not the end of the safeguards. We also have the Ombudsman's Act which provides further redress for those aggrieved by police actions. Ultimately, of course, we have

our courts. I have certainly not known them to be backward in coming forward about wrongful police action.

Mr Speaker, you will recall that I said that these provisions will decrease the propensity for verbals. If a police officer knows that he or she has a reasonable time to carry out an investigation, the officer clearly has less incentive to verbal, to cut corners or to jump to wrong conclusions. We should do everything we can that will encourage police to carry out their investigations of crime properly.

Another recommendation was a requirement that police inform a detainee of his right to have a relative, friend or someone likely to take an interest in the arrested person informed of that person's detention. In relation to serious crime, this information was to be tape-recorded. It is quite clear, and, in fact, it is written into the police guidelines, that a detainee may be allowed to contact a solicitor, relative or friend if a request is made.

I want to refer again to the Anunga Rules and I intend to table a copy of them. The right to quote the Anunga Rules is reported in 11 ALR 412, for all honourable members' benefit. The Anunga Rules are in addition to the Judges' Rules and police are required to follow them. The consequence of their non-observance is the court's exclusion of statements from persons questioned. The rules relate to Aboriginal people and people who cannot speak English.. They are a safeguard. I will go through them one at a time and, again, I would like the Leader of the Opposition to take note. These are rules which our police must abide by.

1. When an Aboriginal person is being interrogated as a suspect, unless he is as fluent in English as the average white man of English descent, an interpreter able to interpret in and from the Aboriginal person's language should be present and his assistance should be utilised whenever necessary to ensure complete and mutual understanding.

2. When an Aboriginal is being interrogated, it is desirable, where practical, that a prisoner's friend, who may also be the interpreter, be present. The prisoner's friend should be someone in whom the Aboriginal has apparent confidence. He may be a mission or settlement superintendent or a member of the staff of one of the institutions who knows and is known by the Aboriginal. He may be a station owner, manager or overseer or an officer from the Department of Aboriginal Affairs. The combinations of persons and situations are variable and the categories of persons I have mentioned are not exclusive. The important thing is that the prisoner's friend be someone in whom the Aboriginal has confidence and by whom he will feel supported.

Mr Speaker, the Anunga Rules require that a prisoner's friend be present when the Aboriginal prisoner is being questioned. If he is not present, the evidence is inadmissible.

3. Great care should be taken in administering the caution when it is appropriate to do so.

Remember the caution? I will repeat it again for the benefit of the Leader of the Opposition: 'You are not obliged to say anything but anything you say may be given in evidence'. Under the Anunga Rules, it is simply not adequate to administer it in the usual terms. Interrogating police officers,

having explained the caution in simple terms, should ask the Aboriginal to tell them what is meant by the caution, phrase by phrase. They should not proceed with the interrogation until it is clear that the Aboriginal has an apparent understanding of his right to remain silent. I quote from 11 ALR 412:

> Most experienced police officers in the Territory already do this. The problem of caution is a difficult one but the presence of a prisoner's friend or interpreter and adequate and simple questioning about the caution should go a long way towards solving it.

Mr Speaker, this is done in the presence of an interpreter and a friend. The next rule is:

> 4. Great care should be taken in formulating questions so that, as far as possible, the answer which is wanted or expected is not suggested in any way. Anything in the nature of cross-examination should be scrupulously avoided as answers to it have no probative value. It should be borne in mind that it is not only the wording of the question which may suggest the answer, but also the manner and tone of voice which are used.

Mr Speaker, again, the prisoner's friend and the interpreter are present.

> 5. Even when an apparently frank and free confession has been obtained relating to the commission of an offence, police should continue to investigate the matter in an endeavour to obtain proof of the commission of the offence from other sources.

Failure to do this, amongst other things, led to the rejection of the confession and record of interview in the cases of Nari Wheeler and Frank Jagamala.

> 6. Because Aboriginal people are often nervous and ill-at-ease in the presence of white authority figures like policemen, it is particularly important that they be offered a meal if they are being interviewed in a police station or in the company of police or in custody when mealtime arrives. They should also be offered tea or coffee if facilities exist for the preparation of it. They should always be offered a drink of water. They should be asked if they wish to use the lavatory if they are in the company of police or under arrest.
>
> 7. It is particularly important that Aboriginal and other people are not interrogated when they are disabled by illness or drunkenness or tiredness. Admissions so gained will probably be rejected by a court. Interrogation should not continue for an unreasonably long time.
>
> 8 Should an Aboriginal seek legal assistance, reasonable steps should be taken to obtain such assistance. If an Aboriginal states he does not wish to answer further questions or any questions, the interrogation should not continue.
>
> 9. When it is necessary to remove clothing for forensic examination or for the purpose of medical examination, steps must be taken forthwith to supply substitute clothing.

Mr Speaker, those are the Anunga Rules. Those are rules that the police have to comply with, in conjunction with the Judges' Rules, when they are questioning Aboriginals. Failure to comply with those rules will mean that the evidence obtained in the questioning will be inadmissible. It would also result in disciplinary action being taken against the police officer concerned. Mr Speaker, I seek leave to table the documents.

Leave granted.

Mr MANZIE: Mr Speaker, the rules are sensible and praiseworthy but I can assure you that they make a police officer's task more difficult and, at times, extremely frustrating. But, to their credit, the police accept the rules as a necessary part of their task to ensure that only credible evidence is placed before the court.

Another safeguard needs to be pointed out for the benefit of members opposite and for the community. There has been a great mass of misinformation and false information disseminated. On some occasions, the finger must be pointed at groups like the Aboriginal Legal Aid Service which ran advertisements which obviously it knew were incorrect because it was aware of the Judges' Rules and Anunga Rules.

There have been a number of misinformed comments regarding juveniles. In section 25 of the Juvenile Justice Act, there is a provision that controls the questioning of juveniles. Another advertisement was run: 'Where are your children going to be? They will be thrown in a cell and locked away forever'. The people who ran that ad would have been aware of the Juvenile Justice Act. It is typical of some groups around town that they would be so blatantly dishonest in advertising. Section 25 of the Juvenile Justice Act is headed, 'Juveniles not be be interviewed in certain circumstances'. I will read it:

> Subject to subsections (2) and (3), where a member of the police force or other person with the power to arrest believes ...

Mr DEPUTY SPEAKER: Order! The Attorney-General's time has expired.

Mr DALE (Health and Community Services): Mr Deputy Speaker, I move that the Attorney-General be granted an extension of time to complete his comments.

Motion agreed to.

Mr MANZIE: Mr Speaker, section 25 of the Juvenile Justice Act reads:

> (1) Subject to subsections (2) and (3), where a member of the police force or other person with the power to arrest believes, on reasonable grounds, that a juvenile -
>
> (a) has committed an offence which, if committed by an adult, is punishable by imprisonment for 12 months or longer; or
>
> (b) is implicated in the commission of such an offence,
>
> the member or that other person shall not interview the juvenile in respect of an offence or cause the juvenile to do anything in connection with the investigation of an offence -
>
> (c) unless a person who is not a juvenile or a member of the police force but is -

(i) a parent or guardian of the juvenile;

(ii) a relative or friend of the juvenile acceptable to the juvenile;

(iii) some other person acceptable to the juvenile who is not, in the opinion of the member of the police force or that other person, an accomplice of the juvenile in the alleged offence or likely to lose, destroy or fabricate evidence relating to the offence; or ...

Mr Speaker, that is a legal requirement. To contravene that is to contravene the law. To suggest that the safeguards under the Juvenile Justice Act would no longer apply because of an amendment to the Police Administration Act is totally incorrect. It is unbelievable that some people, who should know better, have created the impression among Territorians that that is the case. I seek leave to table the relevant section of the Juvenile Justice Act.

Leave granted.

Mr MANZIE: Mr Speaker, it is also important to note that the committee's recommendation does not extend to informing a legal practitioner. I agree with what the Chief Minister said in relation to that issue. It must be considered in the wider context of the debate on other issues including the so-called right to silence.

Another recommendation was with respect to the tape-recording of confessions or admissions of having committed a crime, the penalty for which is 7 years or more. What seems to have been forgotten by the opposition is that it was also the committee's recommendation that the provision not be commenced at the same time as the remainder of the legislation. I see the member for MacDonnell has left the House, Mr Speaker. It is obvious he does not want to know about this even though he has displayed appalling ignorance regarding the matter. He needs to understand the provisions of the bill and the safeguards that apply under the law at present and which will not be removed by this bill.

It is well known that, particularly in relation to serious crime, the Northern Territory police tape-record most conversations and video such matters as the re-enactment of crimes. As the committee obviously acknowledges, from day 1 you cannot simply introduce a requirement in relation to the use of tape-recorders. That is not simply my view or the committee's view. I refer to a passage of the 1981 report of the United Kingdom Royal Commission on Criminal Procedure. Mr Speaker, for the sake of time, I will not read the passage, but I seek leave to table a copy of the report and encourage honourable members to read it.

Leave granted.

Mr MANZIE: Mr Speaker, finally, I am disturbed at the level to which the debate on this issue has degenerated, both inside and outside the House. It seems the opposition would be happy with the committee's recommendations. The opposition thinks so highly of this particular legislation that there is no one sitting in the opposition benches at present and only 2 members were there earlier this afternoon.

It seems that the opposition would be happy with the committee's recommendations, but acceptance of those recommendations would have added provisions about tape-recordings, which were not to be commenced and, for practical reasons, could not commence at the same time. Otherwise, the recommendations reflected existing common law rights to silence, the discretion of courts to exclude unfairly and improperly obtained evidence and rights which in no way are affected by this legislation.

Perhaps the only remaining issue is a statutory right that a relative or friend may be informed of detention. The right is not meant to be extended to solicitors. As I have pointed out, however, with the application of the Anunga Rules in relation to Aboriginal detainees and other detainees who have difficulty with English, it is practically useless to question an Aboriginal suspect or a person with little understanding of English without a near friend or relative present. Of course, if a person requests a friend or relative to be present or wants to contact a solicitor, such communication is permitted except in exceptional circumstances.

Mr Speaker, I wholly support the legislation. I too am committed to further consultation with the community on the wider issues mentioned by the Chief Minister in his second-reading speech. To sum up: police must have adequate powers to deal with crime in our community. The percentage of violent crime in our community is absolutely appalling. Someone, sometime, somewhere has to stand up and be counted on the side of victims of crime. Our women bear the brunt of most violence and I leave members with a sobering thought. The Muirhead Royal Commission will be investigating the deaths in custody of up to 10 Aboriginals in the Northern Territory between 1980 and 1987. All those deaths were tragic and I sincerely hope that much will be achieved by the commission. Mr Speaker, where is the royal commission for the 9 deceased Aboriginal women victims of crime killed, not in a 7-year period, but in a single year - 1987. Not just the Aboriginal community but all reasonable people will support this legislation. It will help us to deal with a major problem in our community: violent crime. I commend the bill to honourable members.

Mr COLLINS (Sadadeen): Mr Speaker, I do not believe that I would be doing my duty by my electorate by supporting this bill today, because of the rush in which it was introduced into this Assembly. I have not had the time to take it to the people of Sadadeen who, no doubt, would be very interested in it. In fact, as a layman, I am only beginning to come to grips with the key issues. I am keen to learn. I need to be in a position where I can understand the bill and take it back to the people. On those grounds, I am not keen to support the legislation.

There is a danger which the Attorney-General touched on. He said that police will not know what the court or a justice will consider to be a reasonable time in a particular case, and the evidence they obtain may not be accepted. This may cause them to hurry things and they may make mistakes. They may even try to fabricate evidence - an undesirable situation indeed. Possibly, the haste with which this is being dealt may lead to mistakes being made.

It has been put to me that this could be bad legislation. I do not mean bad because it will give police more powers or give suspects or people taken into custody greater rights. It has been put to me - and it seems quite reasonable - that, if the amendments are challenged through the court system, because of the lack of clear direction from the legislature on what the legislation means, the High Court would revert to Williams Case. In that

event, what the government is trying to do will fall by the wayside. I am not a lawyer, but I do put that point that was put to me by someone who has a wide knowledge of the law. I would be most surprised if he has not put it to government members as well. There may be a clear answer to that but, if the High Court finds that the legislature has given no clear direction and rules that Williams Case be followed, we would be right back where we started. The urgency with which these amendments are being handled would have been a waste of time. Even worse, because these amendments have aroused interest interstate, we may well become the laughing-stock of Australia. If we become the laughing-stock of Australia, it could set back one of the things which all of us desire: statehood.

The Attorney-General said that the police force would prefer to have a definite time set. With the information given to me and the arguments put to me, I am forced to believe that that might be the best course of action. I know the Chief Minister is listening and he may have some clear answers for me and for the people of the Territory on this.

Mr Hatton: I listened to the defence lawyers. I listened to the legal profession and took its advice.

Mr COLLINS: A definite time may be a far better way of going about it.

There is one matter that I was disappointed about. I can understand that the Chief Minister is a very busy person, and I mean that seriously, but the people on the committee he established in December spent 3 days discussing these issues and thrashing them out. There were prosecutors and defence lawyers - basically, I suppose, the 2 main protagonists. But it would have been nice, and possibly very helpful to the Chief Minister's case and in selling this legislation, if members of this Assembly could have been present too, to listen and try to learn about the issues and then to have a chance to put questions and have the lawyers put it in a language which simple people like ourselves can understand so that we can take it back to the people in our electorates.

Mrs Padgham-Purich: Speak for yourself. I am not simple.

Mr COLLINS: I do not claim to be legally trained. I think people understand what I mean. That term was not intended to be offensive.

It certainly would have been a help if we could have been present. We could have questioned people exhaustively until we felt clear about the issues. Then, we could have taken it back to our electorates and that might have avoided much of the upset this has caused.

The committee did not have any consumers on it, so to speak. There were only defence and prosecution lawyers. In a sense, it involved vested interests. It appears to me that defence lawyers would love to see Williams Case remain because it provides a defence which they can offer to their clients and, no doubt, use successfully to get people off. I say that with respect. The job of a defence lawyer is to have his clients cleared of the charges which have been laid. He has to work as hard as possible to that end and has to believe that his client is innocent. If the client confesses that he actually did commit the crime, all he can do is to tell the person to plead guilty and try to plead mitigating circumstances before the court to reduce the punishment.

The general public do not want to see criminals getting off on technicalities. We could learn a great deal from Aboriginal people. The people at Yuendumu and Warrabri at times have banned Aboriginal Legal Aid people from going out to those settlements. Their argument is that they know the young people have committed the crimes but legal aid lawyers get them off on technicalities and that is not helping the communities.

I was pleased to be able to attend the Law Society meeting at the Sheraton the other night. I commend the Law Society because it helped me clarify a number of points. It was by no means a meeting which was anti-police and anti-police powers. It was clear from what was said by the speakers and from the general murmured conversations that the meeting was concerned. We all want criminals to be arrested, tried and punished. We also want to ensure that innocent persons who are suspected of a crime are released as soon as possible and with a minimum amount of inconvenience. It was not an anti-police meeting. I am sure Commissioner Palmer would have felt that there was considerable support for many of the things that he said. He put the case very well. It was a pity that my former CLP colleagues did not attend to listen.

Mrs Padgham-Purich: I did.

Mr COLLINS: Yes, you are a former CLP colleague.

Perhaps they have received so many accolades for so long so that, when a chill wind comes, they do not front. They would have appreciated the way the public felt if they had been there.

I listened to eminent QCs speaking at the meeting, dissecting fine points of law. I must admit that I felt much more at home with Commissioner Palmer when, in effect, he said that police basically had to use bluff or move outside the law in trying to progress from a situation where they have reason to believe that someone has committed a crime to the stage where they have sufficient evidence to believe that they could successfully prosecute him in a court. We expect our police to prevent crime and we expect them to solve crime. However, it would seem that we are not really prepared to give them the tools which would enable them do the job.

I have considerable sympathy for the police force on this. Before I came to this legislature, I was a teacher and assistant principal at the Alice Springs High School for a number of years. I was in a position to which the principal delegated authority to apply corporal punishment on occasion. When I came to this Assembly and we were working on the Education Act, I found that there is nothing in the Education Act which gives the education system the right to use the cane. One wonders what one's defence would be, given that the principal had delegated the authority. Would he take the rap or would the department take the rap? It certainly was not a very happy feeling to find that we in this Assembly did not have the courage to legislate on such a matter.

The matter of safeguards was certainly of concern at the meeting. I thank the Attorney-General for indicating some of the practices that the courts demand, such as the Anunga Rules. Most people are concerned that an arrested person should be treated in a reasonable fashion and not be subjected to verbal or physical abuse. I have never been arrested and I dare say most of us in this House have never been arrested. I suppose that, unless one actually has such an experience, one finds it hard to appreciate what it would be like. However, people who have been arrested have described to me the

feelings they had. No doubt, it comes as quite a shock to an innocent person to be bawled out by police officers. That needs to be guarded against.

The requirement that an arrested person should be told straight away that he has a right to remain silent exists under common law. If all the police have is bluff to progress from reasonable suspicion to beyond reasonable doubt and that is all we are prepared to give them, I can understand that telling the prisoner that he has the right to remain silent possibly gives the prisoner a perfect out. If he keeps his mouth shut for long enough, the police will be stymied in their job. They will be checkmated.

In respect of the matter of tape-recording, I have spoken to people who have had some experience in this area. The argument that tape-recording can take a long time, particularly if the tapes are to be transcribed, does not really convince me. I can appreciate that equipment may not always be readily available. Perhaps the legislation could provide that tape-recorders and video-recorders be used wherever possible and, where they are not used, the onus be placed on the Crown to give reasons why they were not used and the judge be empowered to determine whether the reasons were adequate.

There seem to be many rules that our police force must follow when questioning suspects and there do seem to be reasonable safeguards. Provision to allow questioning after a person has been charged seems pretty reasonable although, in practice, it may not be. A suspect may be apprehended in the bush, brought to Alice Springs and refused bail by a magistrate. In that situation, it would seem reasonable that further questioning could occur because there would be plenty of people present to see that it was conducted in a fair and reasonable manner. This bill, however, refers to 'reasonable time'. That is very loose. The police officer has to work in the dark in attempting to obtain evidence, not knowing whether the courts will approve of the time for which the suspect is being held. In some cases, 2 hours might be too long and, in others, 48 might not be long enough. That seems very arbitrary. Maybe the courts have their basic rules and maybe police officers will learn from experience what the court will expect but that is not really good enough in my book. The police should be able to do their job properly.

I was interested to hear the Anunga Rules read out. One wonders whether it would not be reasonable if they were applied to all apprehended suspects. It might be a good idea to make people feel less threatened by giving them a meal and a cup of coffee. Perhaps that is the sort of thing that needs to be done. A person is innocent until he is proven guilty and he should be treated as a reasonable human being. Some of these things could certainly be looked at.

The Attorney-General mentioned the matter of victims. We often worry about the rights of suspects and tend to forget about the victims. I certainly do not agree with the point made by a learned judge at the meeting on Tuesday night. Basically, he said that it is better for 10 criminals to go free than for 1 innocent person to be detained. I certainly do not agree with that and I do not believe the community does, and I am in this Assembly to reflect the views of the community I represent.

I believe we are very lucky in the Northern Territory because we have a small police force. I would feel much less happy with what is before us if we were in New South Wales or Queensland where the police force is large and where respect for the police force is very clouded in many people's minds. We are lucky. We have very few policemen who kick over the traces. The few who do so tend to be rooted out of the system pretty ruthlessly. That is good.

Our police have a good record and that gives me some heart that, if this bill proceeds without some safeguards in it, we do not have as much to fear as we might if we were in one of the states.

I would make a suggestion, which might well be considered by members, that this legislation could be subject to a sunset clause. That would force us to review the passage of events. Presently, we are looking into a crystal ball and trying to make educated guesses about how things will turn out in practice. We can supposedly come back at any time and pass amendments, but a sunset clause would force us to look at the effectiveness of the legislation. That might take some of the heat out of the public debate. It would force us, after a given period, to say: 'Let us look at it. Let us see how it has worked. Were our fears groundless or well-founded? What should we do to make it better so that it works in the way that the community expects it to work?'

Mr Speaker, this is an important bill. I am not happy to give it full support today because, as I said, I have not had a chance to go back to the electorate and put it to people so that they understand it. A tremendous amount of material has been tabled, but all of that material should have been available - daunting as it may have been - for us to have studied. It is not much good giving us information which we can read in Hansard next week after the bill has been passed. We have not had a chance to do our homework properly. On those grounds, I will not be supporting the bill today. I would like to think that what I have said fairly reflects the general feeling in the community. I am not opposed to the legislation in toto by any means. People want the police to be able to do their job but they also want protection for the rights of people apprehended by the police.

Mr POOLE (Araluen): Mr Speaker, I rise to support this bill. Much has been said over the last few weeks about some aspects of the bill. Most of the comments, I believe, do not reflect the feelings of the community that we live in. Almost every day, we read or see articles in the media about civil rights and the protection of those rights. Mr Speaker, I submit to you that the majority of our society is fed up with the rights of the individual being used as a reason to frustrate the police in the course of their duty. Indeed, some sections of our community seem to think that these amendments will enable Northern Territory police to wander around the community locking up citizens, particularly Aborigines, without any cause whatsoever.

The Chief Minister has made it quite clear that the legislative changes are designed to assist the police to investigate serious crimes. The police will have the power to detain people for a reasonable time. It is not the police who will determine what a reasonable time is. That is for the courts to decide, as it should be. The judgments of Justices Wilson and Dawson state that the functions carried out by the police are not for some private end but in the interests of the whole community.

Despite what the member for MacDonnell has said, other parliaments and law reform bodies have examined the need to change their criminal codes to sort out the difficulties faced by courts with regard to common law. For various reasons, nowadays accused persons are more likely to be aware of their rights and, of course, the courts are more likely to enforce them. In any event, it would not be fair if police could carry out necessary questioning of suspects only because the law was not enforced.

The Victorian parliament changed its Crimes Act in 1984 because of its dissatisfaction with the rule that required an arrested person to be brought before a justice as soon as reasonably practicable. In Victoria, police are

required to bring an arrested person before a justice or magistrate's court within 6 hours unless he or she is sooner released on bail or otherwise. In South Australia, section 78 of the Police Offences Act was amended in 1985 to authorise police to detain a person arrested on suspicion of having committed an indictable offence for so long as might be necessary to complete the investigation of the offence but for no longer than the prescribed period, which is 4 hours from the time of apprehension, or for a longer period that must not exceed 8 hours provided that is authorised by a magistrate. Importantly, in calculating those periods, it is necessary to subtract delays caused by travelling time or for any request for investigations to be carried out in the presence of a solicitor or other person.

Parliaments in other countries have legislated to provide that the confession given by a person in police custody will not be inadmissible solely because of the fact that there was a delay in bringing the person before a magistrate, provided that the confession was made within a specified time. In Scotland and the Unites States of America, that period is 6 hours. In the United Kingdom, an arrested person may be detained where that is necessary to secure or preserve evidence relating to an offence for which he or she is under arrest or to obtain such evidence by questioning him or her. This complex procedure may be extended for a period of up to 24 hours and then further extended for 12 hours, purely by police authority, and for a total of up to 96 hours by a magistrate's court.

There has been much publicity in recent days with regard to law and order and crime in our community. There have been a number of serious crimes in the last few months, not only in Darwin but also in Alice Springs. A number of rapes have occurred in the central business district and around the Todd River in Alice Springs. I am aware of the fact that a number of the incidents involve tourists. As a community, we should allow the police every opportunity to protect the civil rights of people who have been violated in this way. As an aside, Alice Springs has not achieved a reputation as a place of violence, as Honolulu did a few years ago, but we must ensure that we give our police force the support it needs to ensure that it does not. Hawaii suffered economically for a number of years due to the reputation for violent crime that its capital city achieved in the tourist industry.

Contrary to what the member for MacDonnell said, the Victorian law, which fixed the period of 6 hours, with provision for an extension, as the period for which police were permitted to detain suspects, has been found to be unsatisfactory in practice by the police and by a committee chaired by Mr Coldrey QC who was appointed to consider its operations. Whilst the committee found that 99.5% of interrogations and investigations had been completed within 6 hours, they also found that police tended to rush some interrogations in an endeavour to finish within the time limit. The time limit and the provision for an extension was criticised because it failed to take account of the loss of time through such things as travelling, medical treatment, legal advice, arranging for interpreters and breaks for rest and refreshment. The committee was also concerned that the period of 6 hours might become the normal detention period and it recommended that this period should be substituted by a 'reasonable time' provision.

There are a number of criteria which enable a court to determine what is a reasonable time: the number and complexity of matters to be investigated; the need for police to read or collate material in preparation for an interview; the need to transport any persons from the place of apprehension to a place where appropriate facilities are available to conduct an interview; the number of people that need to be questioned; the need to visit the place where the

offence under investigation was thought to have occurred; the time taken to communicate with a legal adviser; the time taken by a legal adviser or interpreter to arrive at the place of detention; the time taken where questioning was suspended or delayed for a multitude of reasons, not the least being time to allow the suspect to rest; and, of course, the time taken to allow the investigation of the offences that the person in custody is reasonably suspected of having committed. These recommendations have been accepted, in full, by the ALP Victorian government. There is no evidence to suggest that members of our police force are looking to go out and lock up people. We have probably the finest police force in Australia, who undertake their job, which is probably the worst in Australia, whilst maintaining a virtually-unblemished record.

In Alice Springs, a car is stolen each day. On a busy weekend, it is not uncommon for 300 people, most of them violent or drunk, to be locked up. It is time for common sense, and our community demands that we assist our police as much as possible. The balance between civil rights and police powers must be watched and weighed carefully. These amendments will assist the police force to do its job properly. The balance between individual rights and police powers will be judged by the courts, not by the police ...

Mr Smith: 8 months later.

Mr POOLE: Mr Deputy Speaker, this bill simply legalises what has been accepted, common practice for years until the Williams Case in Tasmania.

I cannot understand why the opposition opposes these amendments. Surely members opposite realise that the Williams judgment and its relationship to common law will be tested. Do they seriously want perpetrators of some of the most horrendous crimes in the Northern Territory to be set free on a purely technical ground? The police have a 400-page book of rules that governs their behaviour. The Police Act and the Juvenile Justice Act and regulations prescribe how they are to handle intoxicated offenders. The opposition has produced no evidence in the debate today that can make me believe that there is some subversive idea behind this legislation.

For some reason, there has been much comment in relation to the use of tape-recorders or video-recorders. I can remember the days when the police proposed the introduction of this type of practice and it was vigorously resisted by the local members of the legal profession. It should be sufficient to say on this subject that there is no jurisdiction anywhere in Australia that has legislation covering this.

The Commonwealth Immigration Act allows for detention for up to 48 hours and, in some circumstances, allows for an extension of that period. I can remember many foreign fishing vessels that have been detained for a week in Darwin and, more recently, in Broome.

Mr Smith: That act has a written right to habeaus corpus in it too.

Mr POOLE: They have been detained for a week, and that does not seem to have upset anybody in the legal profession or the members opposite.

Finally, our community has seen a shift of emphasis from criminal activity to police conduct, and I suggest to this House that the average citizen does not like what is happening on the streets. The average Territorian has confidence in our police force and our courts, and the courts should decide what is fair and proper. I support this legislation.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, it has been a pretty interesting debate this afternoon, and it is terribly sad that the members opposite did not attend the debate organised by the Law Society the other night, because they would have found that most interesting too. This is not a debate about law and order at this stage. It may become one in the future, but it is not at this stage. We are looking at a proposal to change the common law and we are entitled to do that. The common law has existed for 300 years and, if this legislature wants to change it, so be it. We can change it. However, I would put to members that we are not well suited to be considering changes to the common law of the type introduced by the Chief Minister. We are not lawyers, we are not policemen and we are not judges. We are not learned in the intricacies of the law, particularly the common law, and therefore qualified to be able to consider the finer points that are emerging in the debate. I would put to the honourable members that we do not have before us proper advice in relation to this matter.

Mr Dale: Speak for yourself.

Mr TUXWORTH: I am going to speak for all of us. If the minister would care to listen for a minute, I would point out to him that, in the past, when we have changed matters of common law in this House - and we did that in relation to the workers' compensation and motor vehicle accidents legislation and we made some pretty radical changes during the passage of the Criminal Code - some pretty solid advice was tendered for us to consider. We had inquiries, studies were done, working parties were set up, public discussions and debates were held and some of the changes that we implemented took 14 or 15 months to pass through the Assembly. Certainly, the Criminal Code remained on the Notice Paper in this Assembly for more than 9 months, and probably closer to 14 months, before it was disposed of. It was a pretty sensitive issue. It was acknowledged even then, probably more so than now, that the legal issues ought to be sorted out by the people in the legal profession and that our best course was to try to obtain as much consensus as we could. At the end of the day, if the politicians had to make political decisions, then that was what we did.

But, none of that has happened in this case, and I believe that is the greatest flaw in the whole debate that we are having. We do not have the proper information before us. The Victorians have had inquiries, the Queenslanders have had inquiries, the High Court has made decisions on it and all of those measures took into account not only the advance of police powers and the increase of police powers, which are important and necessary, but they also considered the checks and balances. What we are doing now is really raising in the minds of the public the wisdom of what we are doing, and it is obvious that it does not have much support.

I maintain that we need more time and I say to honourable members who were not at the debate the other night that, if they did not hear the arguments at that debate, they could do with some more time to consider the points that were raised there. The opposition to this legislation is enormous. There are people in the community who are concerned in respect of civil rights, some have political objections to it because they are on one side of the spectrum or the other, but the most alarming area of concern, which ought to be ringing bells in the mind of every member, is the fact that the Northern Territory Law Society, the Northern Territory Bar Association and those most conservative people, the Australian Bar Association and the Law Council of Australia have all said that what we are doing is wrong. If that does not trigger off a concern in our own minds about the direction we are taking, what has to happen? Is it necessary for Mr Justice Marcus Einfeld to trample through the

Northern Territory under the auspices of the Human Rights Commission before the bells start to ring loudly enough for us to stop and think?

The government's case is based essentially on the decision in Williams. We can sit here as laymen and argue the ins and outs of Williams Case until the cows come home, and I put it to you, Mr Deputy Speaker, that as laymen we are not properly qualified to decide one way or the other about the rights or wrongs of the judgment in Williams Case. There are learned people in the community from whom we can take advice on that. But one thing that is absolutely certain, Mr Deputy Speaker, is that you could not tell me the name of a lawyer in the Northern Territory who believes in or supports the proposition that the Chief Minister has been advancing on radio and television for some weeks that this is all about Williams Case. All the people in the legal profession that I can find are saying that it is nonsense to introduce Williams Case. Williams Case has not changed anything, and the High Court decision has only confirmed what we already knew to be the common law.

Mr Perron: Its a pity the National Crime Authority does not agree with you.

Mr TUXWORTH: Mr Deputy Speaker, the honourable minister ...

Mr Dale: They have different objectives, though.

Mr TUXWORTH: The honourable minister interjects and says that the Chairman of the National Crime Authority does not agree with me. He is one man, and he is entitled to an opinion. He is an important man and he has an important role, but he is not the only man in the country and his is not the only legal mind. There are many others who might like to have a say on it.

The point that I would like to make is that all the lawyers that we can find - and I say 'we' collectively to include those of us that have looked around and listened, and particularly people who went to the debate the other night - would say that what the Chief Minister is saying is absolute nonsense. The Chief Minister's justification is to say that he took advice from the Department of Law and he holds poor old Peter Conran up on a stick as his defence. Peter Conran does not need to be abused for that. He is one of the silent public servants who should not have to take the rap. Hundreds of lawyers in the community are saying to us that we are on the wrong track and should stop and consider the matter a little longer.

Mr Dale: What about that other lawyer, the Commissioner of Police?

Mr TUXWORTH: I will come to the Commissioner of Police in a moment, Mr Deputy Speaker, because his performance the other night at the debate was excellent. Anybody who was there would agree on that. But he raised some points that are in direct conflict with the things that the Chief Minister has been saying, and I will come to those in a minute.

Mr Coulter: Why don't you deal with it right now?

Mr TUXWORTH: Just relax.

Mr Coulter: While you have our attention.

Mr TUXWORTH: Just relax, honourable Treasurer. We will get to all of these points in the course of the evening.

The concerned people in the community claim, particularly those that were on the working party, that they have not had a chance to contribute to or debate the issues. It is no good saying that the government introduced this matter last year in September or whenever and that everybody has had plenty of time to consider the issues, and we will not alter our position. The bill that was introduced last year was something like the one that we are considering today, but certainly the people who were on the legal working party, and who were on it in good faith, do not believe they were discussing the bill that we are talking about today. They would be happy to sit down again and work with all the people on the working party to discuss the bill that we are looking at now and that they are not allowed to have an input into.

They are so frustrated that they organised their own debate and to say that that was a political exercise or that it was not done well is nonsense. There were 300 or 400 people at the debate the other night. A good cross-section of middle Australia was there - interested people. Speakers spoke for about 3½ hours and very few people left the room. It was interesting to hear all the points of view. I am just unhappy that the honourable members opposite did not have the benefit of that debate because they would not be charging down the path they are on now if they had spent a few hours at that debate the other night.

What makes the situation just about impossible is that the Chief Minister chickened out and sent along the Commissioner of Police. To his credit, the commissioner had the audience eating out of his hand. If there is any man in the Northern Territory who will advance a case for additional police powers, Commissioner Palmer will be the fellow and he will get away with it. As a smart copper, he knows better than anybody else that, when he comes with the proposition for this House to increase police powers, he has to trade something off to obtain them. It is not a one-way street and there must be checks and balances.

The only problem we have with this legislation is that there are no checks and balances. At the meetings I have attended, no one has spoken publicly against extra powers. There is no argument against extra powers but let us address the issue of checks and balances and not give the police their powers today and say that, in a few months time, we will set up another working party to look at the checks and balances.

Is it any wonder that there is a level of suspicion among the legal fraternity when both of those issues could be tackled at the one time - and that is when they ought to be tackled. The reality of our democratic system is that, be it the balance between the parliament and the executive and the courts or be it the balance between the courts and the police, there will always be the need for checks and balances. If we do not have the checks and balances, our system cannot survive. It is that simple. When the checks and balances are not there, you have the problems that exist and have existed in other states in the past where either the police do not do their job properly or the citizens feel their rights are under threat and there are political moves to change the balance. There is always a need to maintain the balance and to advance the argument that we can confer the additional powers without addressing the balances just does not stack up.

The other thing that is most important is that the checks and balances are not needed only for John Citizen or the administration of the law; they are needed to maintain the integrity of the police force. If you do not have the checks and balances, the police force will very quickly lose its morale and

its standing in the community. If the balances are too far in favour of the citizen, police morale will slide because it is not doing its job. If the balances are too far in favour of the police, the same thing will happen because they are running wild or they are getting an advantage over John Citizen. The balances are really most essential for the image of the force. That was a point that the commissioner addressed at the meeting the other night and it was a point that was taken by the whole meeting.

Mr Dale: What did he say?

Mr TUXWORTH: He said that it was in their interests that any legislation and any advantage that the police might obtain is seen to be balanced in terms of the citizen's rights.

Mr Dale: It is 'reasonable time'.

Mr TUXWORTH: The minister is now getting into the detail of reasonable time and other issues. We will have a few hours in committee tonight debating those matters.

Mr Speaker, I would like to say to the Chief Minister that all is not lost and he does not have anybody against his proposition for additional powers, but there is a need to go back to the working party. Let us refer to the people involved in the day-to-day administration of the law - lawyers and policemen. I would like to raise the possible inclusion of the judges in this. I have not heard from the judges and I do not know whether the Chief Minister or the Attorney-General or any members opposite have taken any advice from the judges. I hold our Territory judges in the very highest regard. I think they are very learned and sensible men. It would be helpful, as legislators, if we could have the benefit of our Supreme Court judges' views on the proposals that we are putting forward. They do not have an axe to grind. They are the people who are really interested in seeing that the checks and balances exist and that the administration of the law is carried out in the way the people would want it to be carried out.

If, after the working party has met and it has not solved all the issues and there are points in the legislation where decisions have to be taken for political reasons, let us bring it in here. But, we have not even put that to the test. We have not even asked the working party or the other members of the legal fraternity how they would see these checks and balances being implemented with the proposal for the additional powers for the police. We ought to do that before we pass the bill through its final stages.

Mr Speaker, a fair amount of comment has been made during the debate today about the emotions that have been stirred up. I guess both sides must take a fair amount of responsibility for the stirring up of emotions. Both sides, in their own way, have played it pretty fast and loose in advancing their argument. The emotions that have been stirred up will only cloud the issue. The issue is that we must ensure that the proposed legislation has its checks and balances. If the advertisements in the newspaper and the comments on the media by the respective parties have stirred up some emotions, that probably is not such a bad thing. What they have stirred up is enormous public interest in what is occurring and what people's rights really are. I will touch on a particular issue: the perceived right of an individual to make a phone call once he has been taken down town. Every person to whom I have spoken since this started a couple of weeks ago believes that it is his right to go to a phone at the police station and make 1 phone call. Whether that belief has come out of American television or whether it is something people

have grown up with does not really matter. The point is that they believe it is a right. The reality is that they do not have that right. They can make a phone call if somebody wants to let them do so.

What we have generated in the last couple of weeks is an enormous public interest - and I do not say in disagreement or in agreement with the government - in what is entailed in this legislation. One of the reasons that the interest is really coming to a head is that people look around and say: 'This does not exist anywhere else in Australia yet we are doing it in this way. What is wrong? Why do we want to do it this way? No inquiries. No research. No information. Whip it in, whip it out and wipe it. Have it out of the Assembly in 2 weeks'. I would say that the concern in the community is related more to what is occurring than to the contents of the bill. There is a lot of good in the bill and I am not arguing against that. Nevertheless, we must address the issues of the checks and balances.

There are a couple of points of detail that I would like to raise that certainly need clarification. The first question that has been asked publicly at most discussions that I have listened to is: 'How many cases in the past have been lost or slipped through the net because these proposed changes to the legislation were not in place?' The answer to that was none.

Mr Dale: How many people have been assaulted or raped or murdered because somebody has been let away because of the law?

Mr TUXWORTH: That was the question. 'How many people slipped through the net and were not prosecuted because these changes were not in effect at the time'?

Mr Dale: The Mr Stinky in Victoria. The Shepparton murders.

Mr TUXWORTH: Mr Speaker, the honourable member might like to make his contribution shortly because, at this stage, no one - and that includes the commissioner the other night - has been able to say how many cases have actually slipped through the net because these changes were not there. If there are cases, let's hear about them because they are important to the consideration of the debate.

The second question is: 'How many current cases that are pending on police files are in jeopardy or likely to be lost because this legislation is not in place?' At the meeting the other night, the commissioner was asked that question from the floor by a most reasonable person. He answer was that there are none. On the other hand, the Chief Minister has said on radio that there were 2. Either there is none or there are 2, but it cannot be both. We need to clarify if there are cases because that is a part of muddying of the waters that is causing the concern in the community. If we have the Commissioner of Police telling 400 people at a meeting there is none and the Chief Minister saying on radio that there are 2, what are people supposed to think? That all is well in the kingdom? How could they possibly arrive at a conclusion like that? People are not saying, 'Don't do it'; they are saying, 'Let's get it right'.

This legislation was introduced a few months ago and, as I recall the second-reading speech, it started on the premise that we had to put legislation in place to take care of terrorism. I am all in favour of that. As far as terrorists are concerned, I would have a policy of taking no prisoners. You will not get anybody further to the right than me on that. If this legislation is about terrorists, let's sock it to them and let's give

them a heat they will never forget. But, it is not about terrorists. We have come a long way from that position and we are now talking about everyday court cases that affect you and me, our children or the man next door. These rules will be applied to us.

I would like to raise a couple of other points that may not seem important to the Chief Minister or the government but are important to people who follow things and like to be aware. There has been a reasonable amount of debate in Darwin about this legislation because 2 TV channels, a daily newspaper and other forums are available. However, 40 km south of Darwin and beyond, Territorians are thirsting for a basic understanding of this legislation. They want to know what it is all about. The ABC has a problem in trying to inform people outside Darwin about the contents of this legislation. We are debating it for about 8 hours today but the ABC has about 1 minute to try to tell the public what it is all about. What hope does it have? Daily and weekly papers have difficulty in covering the issue and people would like to know. There is a very reasonable argument for delaying the passage of the legislation and sending people like the Chief Minister and the Police Commissioner and anybody else who wants to discuss it into other parts of the Territory to tell people what it is about. They want to know. They do not want to vote against the police and against the government or for civil liberties; they simply want to know what it is all about.

When, in a 2-week period, you change a common law practice that has existed for 300 years, it is not unreasonable for the community to be given some basic information. If we were promoting a trade fair, we would be sending thousands of stickers all over the Northern Territory in envelopes with postage stamps paid for by the government. It would be no trouble. We could prepare a document or a little pamphlet and post it to everybody on the electoral roll. We have done that before over all sorts of issues, including statehood. People only want to know what it is about and, when they cannot find out, they become suspicious that it is a rort. People will divide into pro-police and pro-civil liberties camps when there is probably no reason for that to happen because, when the issues are explained, there is a great deal of support for what the Chief Minister is trying to do.

Mr Speaker, I must put on record that I support what the Chief Minister is doing in enhancing police powers. If, as the commissioner pointed out, the police are operating on bluff and need additional powers to carry out their job, let us have a list of the powers they need and consider those in this Assembly. If the police need additional powers to do their daily job, let us give them to them. They know as well as anybody else that, when they make their shopping list of the powers they want, they have to trade-off. It is not a one-way street.

Mr Perron: Only ex-Chief Ministers do trade-offs.

Mr TUXWORTH: Is that right? I'll remember that.

Mrs Padgham-Purich: Just like being a member of the CLP.

Mr TUXWORTH: Don't talk heresy. I've got feelings you know.

I say again for the benefit of honourable members, that the community wants to know. That is what it is all about. If we are not prepared to inform people about it, they will treat the matter with grave suspicion and may be the losers in the long run or, Mr Speaker, you and I may be the losers or members of the community may be the losers if they are apprehended by the police.

I have circulated a schedule of amendments that I will be moving tonight. I would like to say that some of the amendments have been put forward by people who have not had an opportunity to contribute to the debate in a meaningful way. I believe that the propositions are reasonable and that they are worthy of reasonable discussion and debate. If the government cannot find a good reason to pass them, perhaps it would like to explain what is wrong with them. In reasoned debate, I will be arguing that some of these things ought to be considered.

In relation to the amendments that I will move in respect of the taping of evidence and interviews, I think it is time that we addressed the issue of applying new technology to police work. In that regard, I refer to tape-recorders, videos, satellites and all the new modes of communication that are available to us today. There is some available technology which could quite reasonably be used to the benefit of the police and in the interests of the public. When I say 'interests', I mean the convenience of the public, apart from the legal ramifications. We have all this technology available yet we are arguing about whether we can afford $200 for a tape-recorder. This is a reasonable subject for us to discuss tonight. I do not believe that the government will support it but I believe it is worthy of discussion and should be aired. If it is not possible for the government to accept what I think is a reasonable proposition, and there are probably a thousand reasons why that is the case, it is absolutely essential that we refer this matter to a working party, a commission or an inquiry to decide whether we want to use the new high technology that is available, how we want to use it, and what role it will play in assisting or disadvantaging the police or making it easier for the legal system to work.

Mr Speaker, my time is up. I say to the Chief Minister that it is not too late to let it lie for a couple of months, to refer the matter to a working party and let it resolve as many of the issues as possible. We could then come back to the Assembly to deal with those issues that require a political solution. At the moment, there is a long way to go.

Mr SETTER (Jingili): Mr Speaker, after having listened to the member for Barkly for the last half hour, I must say that I am a little confused in relation to where he stands in this whole debate. He has spent half an hour berating the bill and telling us what a dreadful piece of legislation it is and then, at the end of his speech, he told us that he did not have many problems with it and that he supported it in principle although he has circulated a number of amendments.

He went on to tell us that we are not legal people. I must agree with him. We are legislators, not solicitors. We are soft drink manufacturers, bus drivers, schoolteachers, goat farmers etc. He told us that we have not taken sufficient advice. Let me tell the member for Barkly that we have a Department of Law down the road which is full of solicitors, QCs and all sorts of learned legal people who have been giving us advice. We also have a police department full of highly-qualified people and that is where our advice has come from. We do not make decisions lightly or without taking adequate advice. The member for Barkly knows that. He has been a member of this Assembly for long enough now to know how it operates. Indeed, he was the Chief Minister. Nobody can tell me that he would not understand how matters come before this House for consideration.

He went on to tell us how community support for this legislation is very limited and that opposition to it is enormous. The member for Nhulunbuy was responsible for running a few ads in the newspaper last weekend. 'Contact

your local member', he said. 'Express your concerns'. I think I had 3 phone calls. I have 3000 electors in my electorate and I had 3 phone calls. They were from genuinely-motivated people who were interested and concerned, not because of what the legislation contained, but because of the misinformation that had been spread around this community by members of the opposition and other people. I was able to provide them with a briefing paper and, after having read it, they said they understood it and their concerns were allayed.

The member for Barkly said that the legislation should be referred back to the working party. The previous bill, which came before this Assembly in the November sittings, was referred to a working party after the Chief Minister agreed that perhaps we should take a little more time over it. It was allowed to lie on the Table and the working party met on a number of occasions. It considered that bill and, as a result of some of the advice from the working party, the bill was redrafted and has now been presented to the House. The contents of the bill are, in part, the result of the deliberations of the working party. To go back to the working party now would be a useless exercise.

There has been a great deal of debate in this community during the last couple of weeks. Anybody who wanted to be informed about this issue has had adequate time to become so informed. Members of the legal fraternity in this community have been organising debates, have been quoted in the newspaper and so on. There has been adequate time for people to become fully informed and I note that some people have joined us here today in the Assembly so that they can listen to the debate. The reason for that is that they want to better inform themselves about the reasons why this legislation will pass through the Assembly this evening.

The member for Barkly referred to the right of a person apprehended by the police to make a phone call. He made the statement that, under this legislation, an alleged offender would lose that right. That is not the case at all. It has always been the right of anybody apprehended by the police to make a telephone call to their relative or their legal adviser. That right has not been interfered with at all. It remains. A citizen's right to make that phone call has been totally protected.

The aim of this legislation is to give the police appropriate and adequate means of investigation and interview in cases of serious, complex and multiple crimes. The bill will empower police to apprehend a person suspected of committing a crime and to bring that person before a justice or a court within a reasonable time. Most people believe that that has always been the case. But has it? I do not believe that it has. My advice is that, certainly here in the Territory, the courts have been very understanding and somewhat flexible in their interpretation of that particular requirement. I understand what a difficult task the police have when they apprehend a person. They need sufficient time in order to gather evidence so that, when they bring that person before the court, they are able to put a fair and reasonable case. It is absolutely ridiculous for the police to have to apprehend a person and, within a few short hours, without having had time to question that person sufficiently, to have to whip him into court. After that occurs, it becomes much more difficult to question the suspect. I will allude to that in a moment, Mr Speaker. Whilst the existing system operated reasonably well with understanding from the court and from the police, Williams Case has made a difference and our police should not have to continue to operate under the fiction that prevailed before.

Let us have a look at Williams Case. We have heard a fair amount about it today. Some people have put it forward as being the justification for the introduction of this bill. We have heard the member for MacDonnell try to play down the importance of Williams Case. What occurred in that case was that the defendant was able to avoid conviction on 26 property offences because the police had delayed bringing him before a court whilst they questioned him on those offences. In the joint judgment, the judges acknowledged that the restrictions imposed by the law on the purpose for which an arrested person may be held in custody may hamper the police in the investigation of crime and the institutional proceedings for its prosecution. That is quite clear. In Williams Case, the accused was discharged even though evidence suggested that he was guilty of 26 property offences. Because of a technicality, that person was discharged. Mr Speaker, is that the way the law should operate? I do not believe so.

Let us have a look at the Review of Commonwealth Criminal Law Discussion Paper No 3, 'Arrest and Related Matters', dated September 1987. I will quote from item 5.4 on page 19:

> Williams v The Queen makes it clear that, in Australia, in deciding whether an arrested person has been taken before a justice as soon as was reasonably practical, it is not relevant to consider the time needed by the police to complete their investigation. Time must, of course, be allowed to formulate and lay charges and to find an available justice and bring the arrested person before that justice.

I would urge honourable members to read that paper because it is very relevant. While I am in the business of quoting from various documents, let me advise the House of what Mr Justice Stewart had to say. Mr Justice Stewart is, of course, the Chairman of the National Crime Authority. He wrote to all state Premiers and to the Chief Minister of the Northern Territory in the following terms:

> It seems to the authority that there is an urgent need in the Northern Territory for legislation enabling police to detain persons in custody for questioning. I therefore urge that consideration be given to introducing legislation to provide police with adequate powers to overcome this problem.

Even Mr Justice Stewart had concerns in relation to this matter of the police having fair and adequate time to interview a person before bringing that person before the courts.

Mr Speaker, let me refer to the type of situation which sometimes occurs in the northern suburbs of Darwin with regard to break and enters. A person might be apprehended whilst breaking and entering a house. The police take the person back to the police station and, during the course of the interview, have reason to suspect that the person may well be responsible for quite a number of other break and enters around that neighbourhood. If one consults the police, they will confirm that, very often, they are able to apprehend a person and, as a result of their investigations, confirm that the person has been responsible for a considerable number of similar crimes in the area.

The implication of Williams Case is important here. If, for example, the person was apprehended during the lunch hour, my understanding of the law is that that person would have to be brought before the court that afternoon, at the first possible available time. Does that allow the police sufficient time to investigate those other crimes? I say to you, Mr Speaker, that it does

not. We would have a situation whereby that person might be charged with only 1 offence and all the others would go out the door.

Let us have a look at another situation. Somebody is presently at large in the northern suburbs, assaulting women in the dead of night. I understand that he has raped a number of women over the last 12 months or so. The media have colourfully called him 'Mr Stinky'. Just imagine, Mr Speaker, that that person is perpetrating one of these horrendous crimes in the wee hours of the morning in the northern suburbs and is apprehended by police. Williams Case means that the police must take that person before the courts at the first available moment. The alleged offender would therefore be before the court at 10 o'clock in the morning. However, I understand that 'Mr Stinky' has been responsible for assaulting or raping a dozen or more women. It would be quite possible and indeed probable, under the present legislation, that that person would be charged only with 1 crime, the crime which was being perpetrated at the time of apprehension. The rest would go out the door. I ask, once again whether that should be allowed to occur. I do not believe that it should be.

What about Schwab, the fellow who apparently shot all those people in the Territory and in Western Australia? Had he been apprehended instead of killed, the same situation might have occurred. There was another multiple murder case in Western Australia where a fellow was abducting young women, torturing them down in his basement and eventually murdering them. Just imagine the amount of investigation that had to occur to determine the facts in relation to all those offences, to charge a person and bring him before the courts. As a result of Williams Case, that would no longer be possible. I say, Mr Speaker, that that is not good enough. We need to give the officers of the law in the Northern Territory the tools that they need to adequately, professionally and properly investigate all possible crimes committed by an offender. We should not be restricting them in that.

People could well ask why an offender charged with 1 offence and taken before the court cannot later be questioned in relation to other offences. There are a couple of problems with that. Firstly, the alleged offender might be bailed as a result of going to court on the first offence. If he is a transient, and we have recently had a good example of that in this very city, he can be on the first plane or bus out of the place and be gone within hours. What chance do the police have in that situation? Alternatively, the person might be remanded to prison. In order to obtain access to that person, the police have to visit the prison and interview him there. That particular situation is not conducive to continuing police inquiries.

It is fair, reasonable and desirable that questioning about all crimes suspected to have been committed by the suspect should take place when the person is with the police in the first instance. When a person is being questioned, he may decide to confess numerous crimes apart from the one for which he has has been apprehended. However, because of a time constraint, the police have to break off their questioning and race the person off to the court. The court may then remand the alleged offender. When he is taken to prison, there is a considerable time lapse between the time of the first interrogation and the next opportunity for police access to him. Because of changing circumstances and the changed environment, the person may well change his mind with regard to confessing. The present situation is that, at a time when the person is in the frame of mind to confess and everything is conducive to investigating a number of crimes properly, questioning has to be broken off and resumed a day or 2 later. That is not conducive to the cause of justice in the Northern Territory and I say that we should not allow it to occur.

In relation to what I would call a one-off, straightforward offence where a person commits a crime, is taken to the police station, is interrogated, either confesses or pleads not guilty and is taken before the court, there will be no change as a result of the requirements of this bill. Normally, when a person is being interrogated, the police come to a decision within a few hours whether that person will confess or not or on what action they will take. They will not continue to interrogate that person unless he is suspected of committing other crimes. That is when the additional time is necessary.

From my advice, there is a trend for the courts to interpret the time of arrest as the time of apprehension whether there is a formal arrest or not. In many cases, a formal arrest is not made until after the person has been interrogated. In some instances, the courts have been interpreting the time of apprehension as being the time of arrest with regard to the consideration of a fair and reasonable time from when the arrest is made until that person appears in court. That is very restrictive on the police and we should not place that barrier before them.

Let us have a look at a typical situation using Williams Case as an example. An offender is arrested, say, at midday, interrogated and the police decide to charge that person. That person is then brought before the court in the afternoon. That is the situation under which the police would be required to operate from Monday to Friday. But, if that person were apprehended on, say, Friday afternoon at 5 o'clock, when the courts are closed, the police are not required to bring that person before the court under normal circumstances until the following Monday morning. It could occur that the person is in police custody from 5 o'clock on Friday afternoon until 10 o'clock on Monday morning. This is a time lapse of over 2 days. For some reason, from Monday to Friday, the person has to be taken before the courts within hours. There is some sort of inconsistency there that needs to be addressed. It restricts police ability to properly investigate offences.

Mr Smith: Give us an example.

Mr SETTER: The Opposition Leader has finally decided to grace us with his presence, has he? He will start asking ridiculous questions. If you had an interest in what I have to say, why didn't you stay here?

Mr Smith: I have no interest in what you have to say because it is usually nonsense.

Mr SETTER: You will have to read Hansard if you want to find out what I have said.

Mr Smith: I usually glue your pages together.

Mr SETTER: Let us look at the precedent that has already been set by the Commonwealth with regard to persons who are apprehended being held in custody for a considerable time before they are actually charged or arrested. Let us have a look at the case of illegal immigrants. People who are apprehended as illegal immigrants are sometimes held in custody for days before they are brought before a court. I am talking about something that currently exists in the Immigration Act. I am talking about precedent, and precedent is very important to the legal fraternity. Magistrates and judges continually use precedents as a basis for their decisions. Illegal immigrants are held in custody by, I assume, the Federal Police for quite a number of days. In one case, I understand that it was 5 days yet, because we are introducing

legislation that has similar requirements, everybody becomes all fired up and uptight about it.

We have heard about infringement of civil liberties. That is absolute nonsense. I know that the Leader of the Opposition and the member for MacDonnell are rabblerousers from way back. In fact, the Leader of the Opposition admitted to me the other evening that he is about exploiting issues and firing up community emotions with regard to issues like this. In other words, what he is saying is that, if people start to express a concern, he will try to take advantage of it, feed out misinformation and stir up emotions. We have seen it on several occasions lately. Unfortunately for the opposition, its exercise at lunchtime today backfired because the rent-a-crowd that it hoped to whistle up did not materialise. People heard what the Leader of the Opposition and the member for MacDonnell had to say and they thought: 'There is not much credence in this. We will all go back to work'. That is exactly what by far the majority of them did. That is what members of the opposition are about: they incite the community, not because there is a genuine concern but because they want to use the people in the community for their own political ends. We have seen it on many occasions and I hope that we do not see it again.

A considerable amount of discussion has been held with the legal fraternity. We cannot satisfy everybody's concerns. Sometimes one wonders why these concerns arise, particularly with members of the legal fraternity who are very skilled in the law. One must wonder at the motivation of some of these people.

One thing that has been ignored in this debate so far - and I might stand corrected there because the member for Sadadeen may have alluded to it at one stage - is the victim's rights. We hear about the rights of the person who is suspected of having committed a crime. We hear about prisoners' rights and everybody else's rights. What about the rights of the poor victim, the person who has had his house in the northern suburbs of Darwin busted into half a dozen times, the person who has been knocked over the head and robbed or the person who has been murdered?

Mr Leo: There's not much you can do for him.

Mr SETTER: Mr Speaker, the victim is ignored in this whole exercise. It is of concern to me when I learn about people who are assaulted or who are murdered and sentenced forever to lie in their cold graves from whence there is no return. Quite frequently, we see people convicted of horrendous crimes, sentenced to a reasonable term of imprisonment and, within 2 or 3 years, they are back on the streets. The person against whom the crime was committed is forever sentenced to lie in his grave. Life is cheap in our society and I think it is time that we as legislators did something about that.

Mr LEO (Nhulunbuy): Mr Speaker, I will not attempt to reply to anything that the previous speaker said. To use his own words, it was all a little confused. However, I will rely on the words from the High Court of Australia which inspired this ongoing debate which will probably occur throughout Australia. I refer to page 44 of the National Crime Authority Report 1986-87:

> On 26 August 1986, the High Court delivered its judgment in Williams v The Queen (1986) 66 ALR 385. The High Court clearly upheld the common law principle that police officers have no authority to detain arrested persons in custody for questioning before taking them before a magistrate noting that it considered the

right to personal liberty to be the most elementary and important of all common law rights and certainly one which it should safeguard.

The NCA has recognised that that judgment could jeopardise the prosecution of some cases in the future and so it has written to states and Territory ministers making various recommendations and, amongst them, have been the recommendations that have led to this bill. However, the High Court of Australia did not recommend that governments change their legislation. It was the National Crime Authority. Whilst I accept and respect the National Crime Authority's opinion and views on matters of policing, it is my opinion that the greater legal authority in this country is the High Court of Australia, and its words, as are reported by the National Crime Authority, are very explicit and very clear. I repeat them: '... noting that it considered the right to personal liberty to be the most elementary and important of all common law rights and certainly one it should safeguard'. Those are not the words of the National Crime Authority, nor of the Police Commissioner for the Northern Territory, nor of the Attorney-General in the Northern Territory: those are the words of judges of the High Court of Australia. It is their belief that the rights of the individual to personal liberty are sacrosanct and something that must be insisted on within our society.

What the NCA has recommended to the states and the Territory, and what the Territory has acted on, is the inhibition of those personal freedoms and rights. That is precisely what is happening here. Make no bones about it. People can use whatever words they like - and I accept that the Attorney-General put as brave a face on it as possible - but, in fact, what this legislation is about is inhibiting, to some degree, the personal rights and freedoms which are enjoyed presently by citizens in the Northern Territory. There would be no point in introducing the legislation unless that is what it is about. It is about inhibiting those rights and freedoms.

Although this legislation may very well enjoy the blessing of the National Crime Authority, the support of the Northern Territory Police Force and the support of the Attorney-General's legal officers in the Department of Law, the facts of life are that the High Court of Australia disagrees with it. We are going to pass this legislation despite the fact that the High Court of Australia has noted specifically, in relation to Williams Case, that the right to personal liberty is the 'most elementary and important of all common law rights and certainly one which it should safeguard'. We are not safeguarding that common law right, we are jeopardising it and we are, to some degree, inhibiting it. That is precisely what this legislation does.

For some years, I had the pleasure of holding shadow portfolio responsibilities for the police in the Northern Territory. It was a task which I enjoyed and it was a great learning experience for me. One thing that I learnt during that period is that police work can only be carried out effectively if the police enjoy the support of the community. We in this House can pass laws until we are blue in the face, and none of it will make an iota of difference if the police do not enjoy the support of the community. It does not matter what laws are passed, what penalties are provided; it will not mean a thing unless the police enjoy the support of the community. It is my belief that this legislation will lead to a deterioration in the good level of support which the police enjoy currently within the Northern Territory. That is another reason why I believe this legislation must be opposed.

Another aspect which I doubt that either the Chief Minister or the Attorney-General has considered is the legal cost of litigation that will be pursued after the passage of this legislation. I would ask the

Attorney-General to contemplate the number of persons who will appeal to the Ombudsman, who will appeal to superior courts or who will appeal to the police tribunal claiming to have been held for an unreasonable period of time. Appeal matters will clog almost every system. Disputes about this undetermined 'reasonable period' will clog almost every court in the Northern Territory. It will certainly clog the Ombudsman's office and the Internal Investigation Branch within the police department. There will be absolute mayhem as a result of this, trying to sort out what is a reasonable period of time, because people certainly will complain about it. They will claim that they were held for an unreasonable period.

It will drag on forever. It will never finish. Massive amounts of money will be spent investigating what is a reasonable period in relation to every case that appears before a Northern Territory court. It is a stupid proposition. I know very well from the number of complaints concerning police that people bring to my office. Fortunately, I have a reasonably good relationship with the police in Nhulunbuy and we are able to talk most of the matters out. If you read the Ombudsman's Report, Mr Speaker, you will note how many complaints are made already against police in the Northern Territory. Contemplate for a second the number of complaints that will be made in the Northern Territory about this proposition of a reasonable or unreasonable period. Contemplate the amount of work involved in investigating every complaint that will be made and you will realise that it will take a small army of people merely to investigate the complaints.

Perhaps the most disappointing circumstance with this legislation is the manner in which it has proceeded. It was introduced a little over a week ago and is being passed on this final day of these sittings. There have been many instances in the Northern Territory where legislation has been rammed through this Assembly only to reappear. Then, inevitably, we have to pass validating legislation to legalise what was in fact illegal. We do that all too frequently in the Northern Territory. I would like to bet a dollar with anybody on the other side of the House that, in fact, we will be back here with validating legislation pursuant to this bill inside this year.

The reason that that will happen is because we, in this legislature, have not had enough time to examine it. The legislation will have effects that the government has not considered and it will have effects that I have not been able to contemplate fully. I accept that. The effects of this legislation will be dramatic and they will be costly, as I have already explained, due to the number of complaints it will generate. The effects will be dramatic and I suspect that the provisions of the legislation will prove to be inadequate and we will end up with validating legislation. That is the reason why I intend to move an amendment which I believe has been circulated to all members.

Mr Speaker, I move the following amendment:

Omit all words after 'that' and insert:

the Police Administration Amendment Bill (Serial 83) be withdrawn and redrafted to include those safeguards which were agreed to by the committee of interested parties established to examine the original bill in December 1987 and specifically to include the concepts of:

(1) the right of a person in custody to have a relative, friend or lawyer informed of the fact of the arrest by a member of the police force unless the police have reasonable grounds for refusing the request and, in

serious cases, the right of a person suspected of having committed an offence to have information required and any responses thereto tape-recorded unless it is impracticable to do so;

(2) the right of a person suspected of having committed an offence to refuse to answer questions or to participate in investigations except where required to do so by or under an act or a Commonwealth act;

(3) evidence of a confession or admission made to a member of the police force by a person who was suspected of having committed a serious crime being held inadmissible as part of the prosecution case in proceedings for a crime unless it is tape-recorded;

(4) the onus on the prosecution to establish the voluntariness of an admission or confession made by a person suspected of having committed an offence;

(5) the discretion of a court to exclude unfairly obtained evidence;

(6) the discretion of a court to exclude illegally or improperly obtained evidence.

Mr Speaker, by agreeing with this amendment the Northern Territory and its government will save itself a great deal of heartache and a great deal of difficulty in the future. Normally, I would not give a damn about how much difficulty the government faced but I care in this case because it will face that difficulty because of what it is inflicting on citizens of the Northern Territory. If the government accepts this amendment, it can take a breath, step back and look at what it is proposing and allow time for more constructive and reasonable debate. There certainly has not been sufficient time or opportunity for that to happen so far.

I have seen this government's attitude to justice in the past. Indeed, a matter of considerable injustice was raised both yesterday and this morning in question time. That is something that the government can remedy quickly; something that has been reported on. There is ample evidence of the injustice and of the need for change to that law but government will make no attempt to do it.

Despite the 2 cases mentioned by the Chief Minister yesterday, he still has not convinced this Assembly that prosecutions will be hampered because of the police procedures involved in those cases. If he does not do so, there is no point to this legislation apart from a recommendation from the National Crime Authority which the High Court of Australia clearly disagrees with and some idea that police efficiency will be enhanced. Those are the only reasons for pursuing this bill and I would therefore ask government members to support this amendment. The government's present course will not wreak havoc with you and me, Mr Speaker, because we are fortunate to be amongst the better-educated and more articulate members of our population. However, it will cause grave difficulties for those Territorians who do not enjoy our socioeconomic advantages and, in time, it will cause grave difficulties for this government and its departments.

Mr DALE (Health and Community Services): Mr Speaker, I rise to speak against the amendment proposed by the member for Nhulunbuy. In doing so, I will point out some of the facts about how things really work out there. Honourable members will obviously realise that I have a vested interest in this issue.

Mr Speaker, let me give you example of what can and does happen out on the street. Police headquarters receive a call from the Nutwatch family, situated in Nightcliff, saying: 'We think the house at 3 Smith Street, Nightcliff is being broken into. There is a big guy at the window and you had better get here quickly'. The divisional van receives the message on the radio and around the corner it comes. Just as it turns the corner, a big burly fellow looks up, sees it, and sprints away down the road. He appears to have come from the area of 3 Smith Street. The police speed up. The young fellow in the passenger seat - that is where you always put the young fellow - jumps out of the car and grabs hold of the big guy. The other officer slowly pulls the van over, then walks across and susses out the situation. The first question that is asked of the big guy, who at this stage is puffing rather severely, is: 'Where are you going?'. He says: 'It is 5 minutes to 8. I am just whizzing down to the shop round the corner to get some milk before it closes at 8 o'clock'. The young policeman sees that the big fellow has rather severely cut wrists. He says: 'How did you get that injury?'. The answer is: 'Look, mate, it is none of your business. I have to get some milk. The baby needs a feed'.

What does the policeman do at this stage, given that he knows that a character whose description basically coincides with the appearance of this fellow is suspected of having raped some 13 or 14 women in the area over the past few years? Does he say: 'Righto mate. Sorry, you had better go down and get your milk'? Or does he say: 'I wonder if you would mind coming back to the house with us. We would like to check whether or not you actually live at 3 Smith Street'? He says: 'I don't live at 3 Smith Street. I live at 5 Smith Street'. 'Would you mind coming back and we will just check out that that is so?' They ask for a name and he gives one. The police then have a name and address. They go to 5 Smith Street and the people there do not know him. They take him to 3 Smith Street and find a broken window and some blood. They start to have some doubts about this fellow. They really believe that he may have been involved in some sort of offence at 3 Smith Street.

What do the police do? Do they let the fellow go? Remember that his appearance basically coincides with descriptions of a man who has possibly raped 14 people. Or do the police endeavour to take their investigations a little further? This is a very successful night for the police. They take him back to the police station and, in the course of subsequent inquiries, lo and behold, it turns out to be the fellow who has been committing the rapes. To arrive at that point, of course, the police have had to call in the victims of his crimes and undertake various investigations. The fact is that he has to be held for a fair amount of time before the police can establish all of the things that they need to establish about his involvement in the various crimes.

Mr Speaker, that process is what has been happening prior to the Williams Case. The reasonableness of police actions in such cases has always been put to the test by tenacious lawyers when cases have come before the court. But the fact is that there has been no legislation to protect the police. They have certainly been cognisant of what they need to do to ensure that, when the case comes before the court, that reasonableness is well and truly established. Police take a great deal of care to look after the integrity of the evidence and ensure that the rights of the accused person are intact.

This bill is not about taking away the rights of an innocent person. Those rights are well and truly protected now and there have been many cases where police who have acted improperly have felt the wrath of the law. In some cases, where police have acted efficiently and without malice, they have lost cases and guilty people have gone free. This bill is all about reasonable and necessary time for the purpose of proper investigation in the entire community's interests. That includes the interest of the person apprehended by the police. In the example I gave, the police had fairly reasonable grounds to suspect that the person apprehended had been involved in house-breaking. They had not dreamt that he had committed 14 rapes around the town over the last couple of years.

The fact is that we have to look at the checks and balances that have been mentioned here today. These include the rights of the accused but they also include the rights of potential victims. One classic case occurred in Victoria in relation to the Shepparton murderer, the original 'Mr Stinky'. He was in police custody something like 4 or 5 times but, because of the legal requirements of the day, could not be restrained. He was left at large and raped several more people until he was arrested in New South Wales. Restrictions on the police force in Victoria allowed that person to assault people in the community. That is why the interests of potential victims must be protected.

The opposition's amendment refers to the right of a person in custody to have a relative, friend or lawyer informed. Once again, this has been well and truly taken care of in the General Orders of the police force. Some honourable members may not have laid eyes on these orders so let me just read from 'Questioning prior to arrest'. The preliminary paragraph talks about what should happen prior to arrest and then paragraph 3.1 says:

> If any person being questioned requests that any other person then in his company or in the immediate vicinity be allowed to remain within hearing during questioning, the member shall not, unless the exigencies of the occasion otherwise require, prevent this, provided such other person does not hinder or obstruct the questioning.

Thus, if you have a friend present who is not involved in the offence and you feel better with that person being present while you are questioned, that is fine. In fact,the police are instructed under their general orders to allow that. The succeeding paragraphs read as follows:

> 3.2 If the person being questioned is suspected to be of feeble understanding, such person shall, if reasonably practicable, be questioned in the presence of a parent or guardian, relative, friend or other competent person not associated with the inquiry.
>
> 3.3 If the person being questioned expresses a desire to consult a legal adviser, the person should be given every opportunity to do so ...

The difference between the Police General Orders and the amendment put forward by the member for Nhulunbuy is a very subtle one. The safeguards already exist within the General Orders and, as an ex-member of the Northern Territory Police Force, I know what happens to any officer who does not abide by the General Orders. He does so at his own peril. The difference between those General Orders and this amendment is that the amendment would enshrine the fact that police must take action at a certain time. What you would be

creating is simply another tool for the defender's solicitor to go into court and not argue about the 14 rape cases, not argue about whether the person had blood on his arm and the window was broken and other evidence in terms of line-ups and other identification. All they would be arguing about would be whether the policeman acted at the specific time that the legislation says he must. Moreover, the policeman would have to use the exact wording that is in the legislation. If the provision relating to a telephone call used the word 'friend or relative' and the policeman did not use that exact wording, the whole case might be thrown out of court based on the inadmissability of all evidence after that point. It is absolute nonsense and I certainly do not support it.

The Leader of the Opposition interjected earlier saying that the Anunga Rules were hardly all that important in the Northern Territory because they relate to only 25% of the population of the Northern Territory. I would like to remind honourable members that the population of the Northern Territory prison system happens to be 70% Aboriginal people. The people likely to be coming before the police in investigations and requiring the Anunga Rules to be appropriate to their case are probably more than 70% of the people that the police have to handle. His ignorance in that regard is quite apparent.

I totally oppose the amendment by the member for Nhulunbuy. All it would do is protect the guilty from proper investigation and prevent a case being put in its proper form to the courts so that the entire community can be protected.

Mr SMITH (Opposition Leader): Mr Deputy Speaker, I rise to speak to the amendment and, in doing so, obviously I will have to respond to the comments made by the Attorney-General who put a reasonably cogent argument as to why the bill should proceed through all stages at these sittings. I can address our reasons for the amendment only in terms of answering some of the comments that he made and also some of the comments made by the Minister for Health and Community Services.

The thing that intrigues me most is, if there is nothing wrong with this legislation, why so many people are opposed to it. I wish the members opposite had tried to come to grips with that. The Attorney-General says that the protections are in place in the Judges' Rules, the Anunga Rules and in common law. I will come to common law a bit later. I want to make a couple of comments first of all about the Judges' Rules. The first comment I want to make is that I did not know about the Judges' Rules until they were raised in discussion tonight. That may be an indictment of myself but, if you go outside of this Assembly and run a street poll, I suspect that you will find that 90% of the population of the Northern Territory does not know about the Judges' Rules. Where would people find out about them? They certainly do not find out about the Judges' Rules inside a police cell or an investigating room at the police station. They are not there because there is no compulsion on the police to provide people with copies of them.

Mr HATTON: A point of order, Mr Deputy Speaker! I would like the member to clarify how reference to the Judges' Rules has anything to do with the amendments before the House?

Mr SMITH: Mr Deputy Speaker, I am arguing a case that the people's lack of information about the current law is a very important consideration in terms of passing this bill at these sittings and a reason why the bill should be deferred to a later sittings.

Mr DEPUTY SPEAKER: There is no point of order. I ask the Leader of the Opposition to relate his remarks to the amendment before the House.

Mr SMITH: The problem in the Northern Territory is that the Judges' Rules and the other rules that the Attorney-General said protect us do not protect us because people are not aware of them. What I am saying is that this bill does not indicate that there are safeguards in place. What I am reading into that is that there is a need to take that bill back to put the necessary safeguards in place that the Attorney-General says are there already.

What information do you receive in the Territory when you are detained by police? Basically nothing. Under the Judges' Rules, you should be cautioned: 'Persons in custody should not be questioned without the usual caution being first administered'. In the UK, there are codes of practice which can be bought in a bookshop. If you are picked up in the UK, you are told that you have the right to have someone informed of your arrest in accordance with the act, that you have a right to consult a solicitor and you have a right to consult the codes of practice. In the Northern Territory, the person is not made aware that he has the protection of existing safeguards.

Like it or not and whether the government is prepared to admit it or not, this legislation extends present police powers in respect of detention. What honourable members opposite have conveniently forgotten is that the judgment in Williams Case, which the government has been flaunting around the Northern Territory for the last few weeks, points out quite clearly in a number of different sections that safeguards must accompany increased police powers. That is what we are arguing in this amendment. The bill ought to be withdrawn and it ought to come back with safeguards in place together with the extra powers for the police with which no one disagrees in theory.

On page 40 of the judgment of Wilson and Dawson JJ, it says:

> There must be safeguards, if necessary in the form of time limits and they must be set with a particularity which cannot be achieved by a judicial decision. Moreover, it is better that legislative change should take place against the background of the common law as it has been understood in this country. The experience of the common law is something which, in our opinion, should be borne steadily in mind if and when the changing needs of society appear to require statutory adoption of the existing rules.

Quite clearly, in their decision on Williams Case, those 2 judges are saying that increased police powers and extra safeguards for those who might be affected by them go hand in glove. It is not a decision whereby you can take one or the other; they are intertwined. It is not a decision to say that the court will pick up the safeguards, as the members opposite have done. This judgment states quite specifically that legislative changes should provide the additional safeguards. It says that they must be set with 'a particularity which cannot be achieved by judicial decision'. That is only common sense.

The people opposite, who argue that the court will save you, are arguing that, 8 months down the track, if it goes to the Supreme Court, you will have the rights given back to you that were taken away yesterday or the day before yesterday. Isn't it much better to put the rights into the legislation so that a person does not have to go 8 months down the track to have those rights exercised. That is the fallacy of the argument that the courts will protect your basic rights. You want your rights protected at the moment you go to the

police station. That is what people are concerned about. They will not have those basic rights protected when they go into the police station. The only answer members opposite can give is that, 8 months down the track, if necessary, a person can go to the Supreme Court and have his rights restored. I am afraid that 8 months down the track is not much use to anybody.

On page 20 of the judgment of Mason and Brennan JJ, there is this statement:

> It should be clearly understood that what is at issue is not the authority of law enforcement agencies to question suspects but their authority to detain them in custody for the purpose of interrogation. If the legislature thinks it is right to enhance the armoury of law enforcement, at least the legislature is able, as the courts are not, to prescribe some safeguards which might ameliorate the risk of unconscionable pressure being applied to persons under interrogation while they are being kept in custody.

That is a key section of the Mason and Brennan judgment because what it says is that with increased powers go increased safeguards. This time, it is talking about the threat of 'unconscionable pressure' being applied to people held in police custody. What it is saying is that that cannot be protected by the judiciary; it has to be protected by the legislature. In other words, there must be legislation to protect people who might be placed under 'unconscionable pressure' by an increase in police detention powers. We do not see any protection in this particular bill for people caught in that particular situation.

Lest you think, Mr Deputy Speaker, that it is only a theoretical consideration and need not be taken seriously, let me refer you to a 1976 decision of Justice Muirhead. It is headed, 'The Queen v Lindsay Gordon Charles Boyle' and it concerns a housebreaker in Tennant Creek. I want to read you a few paragraphs from the finding of Justice Muirhead:

> I find that, despite his request for legal advice, despite the fact that he made it clear he did not want to answer questions, despite his repeated denials, the police persisted, not for an hour or 2 but until 5 pm on 8 October, a period of 17 hours. For most of the time, the accused was kept in the interview room. He was fed and, in my view, given reasonable refreshment, but he was given virtually no opportunity to sleep. The accused was subjected to questioning designed to overbear his will. The length of the questioning was designed or likely to be coercive. It is well established surely, that the persistent questioning of a man in the face of his repeated denial is wrong. But to continue to cross-examine, test and probe after a man has requested legal advice is contrary to established principles and, in the long run, may be of no real value.
>
> I rule that his oral confessions in the late afternoon of 8 October are inadmissible in law. The Crown has not proved they were made voluntarily. In fact, in my view, they were the admissions of an overborne person who had probably had no sleep for close on 36 hours and who had been subjected to the processes of interrogation with only few breaks for 17 hours.

My comment on that is this: under the new increased police detention powers, the ability of the police to hold people for a longer period of time is unquestioned and may very well be necessary for the police to do the job

properly. But, where are the protections for the person who is held by the police for 36 hours or more? Where are the protections in the legislation which ensure that he will not be placed under 'unconscionable pressure'. That evidence was thrown out. The law will not be changed. People will be able to be held in detention for a longer period. Where are the protections? Unfortunately, the protections are not in the bill and that is why we are opposed to the bill proceeding at this stage.

We had the argument from the Attorney-General that, if the Judges' Rules are broken, cases will be thrown out. We all know that, in practice, even if the Judges' Rules have been broken, a case can be proceeded with. There are hundreds of examples where the Judges' Rules have been broken, the cases proceeded with and convictions recorded. If it does come to the crunch, we have the situation in court where you have the evidence of 2 police officers against 1 person in the cell. Mr Deputy Speaker, who do you think, 99 times out of 100, the court will believe?

That is the very basic reason why we need, as a safeguard, a provision relating to tape-recording inserted in this bill. Tape-recordings give an additional protection for the person who happens to be placed in the cell that he will get a fair shake. That is why tape-recording is one of the essential elements in the package of safeguards that are needed to make this bill legislation which protects the rights of the ordinary citizen.

The common law is a saviour of everybody who is detained at a police centre. Again, not many people know about the common law and their entitlements under it. If this government is serious about protecting the rights of ordinary people, that is one of the things it might do something about publicising. There are precedents. I am waving one around now. The United Kingdom precedent and it is certainly something that this government, if it is serious, should take up.

The Minister for Health and Community Services gave the impression that police had to have the case signed, sealed and delivered before they fronted up to the magistrate. Of course, he knows that that is not so, and he knows it is not a normal or expected part of police practice to have a matter signed and sealed before a person is brought before a magistrate or 'justice'. The Anunga Rules state quite specifically that the police should not feel hampered in terms of undertaking extra work to prove an offence after having been to a magistrate. Once again, the Minister for Health and Community Services got it wrong.

What we are talking about in this debate is the concept of justice and, in the concept of justice, there must be balance because balance is the most fundamental requirement of justice. There can be justice without a court, there can be justice without lawyers, there can be justice without police, but there cannot be justice without balance. Unfortunately, balance is what is missing in this particular legislation. It is a bill for the police force, not a bill for the citizen. It loads the balance of justice on the side of enforcement and puts nothing on the side of those who are subject to that force to even up the balance.

We might ask why the balance is missing. One answer was supplied during Tuesday night's debate by one of the speakers. When he studied this bill, he recalled having seen it before and then he remembered where. The amendments were almost an exact replica of those proposed at a conference of Police Commissioners. In other words, it was - and it is, I guess - an ambit claim by the law enforcement agencies. None of those police officers would have

expected the ambit claim to be taken as a final position, not even those from Queensland. They know that the entire tradition of our law would demand that their needs be balanced by those of others.

Territory police conceded as much in that now famous conference - or perhaps it should be called an infamous conference - with the leaders of our legal fraternity. To its shame and without telling anyone for 2 months, the government overturned decisions and compromises that had been reached at that particular meeting. I am not sure that fundamental rights should be negotiable, but the police and the legal fraternity entered into negotiations and reached a compromise package. As with most compromises, both felt they had lost something in the process, but everyone who took part felt that, with the addition of 3 essential safeguards, a balance had been struck. In other words, the scales of justice were no longer loaded as they were in the first draft of this bill and as, unfortunately, they are in this draft of the bill. Unfortunately, between that day and Tuesday of last week, something happened. Nobody on this side of the House knows, and nobody in the community has been told, why the government changed its mind.

The 3 essential safeguards which, when taken together, restored the balance of justice, were missing. Instead, we were confronted by this bill and by a government prepared to ram it through all stages at these sittings with brutal urgency. Not unexpectedly, the outcry was immediate and widespread. The Chief Minister came out into the public arena, holding this lopsided balance, and declared it true. Those who disagreed were treated to insults. They were told they did not care about the victims of crime, that they were anti-police and that they were a rabble of lefties. Then he reached into the depths of his store of insults and pulled out the worst: they were supporters of the Labor Party! The Chairman of the Bar Council, the Law Society, the Council for Civil Liberties, the church leaders and his own branch secretary - welcome aboard, comrades! The Chief Minister is confused again. The opposition to this bill is not political; it is universal.

Mr HATTON: A point of order, Mr Speaker! The Leader of the Opposition is speaking to the bill and not to the amendment.

Mr SMITH: Mr Speaker, may I speak to the point of order? I am making a very valid point that one of the reasons why this bill should be deferred is the widespread level of opposition to it. Of course, that is what the amendment is calling for.

Mr SPEAKER: There is a point of order and I would ask the Leader of the Opposition to confine his remarks strictly to the terms of the amendment.

Mr SMITH: Mr Speaker, of course, I accept your ruling. When I am talking about one of the prime reasons why the opposition wants the bill deferred, I find it difficult that you have ruled in that way. However, Mr Speaker, I will proceed.

For a number of very good reasons, the opposition has moved an amendment which would ensure that the bill was withdrawn and that further discussions took place with affected parties and, as a result, that extra safeguards would be put in place. I should say 'some' safeguards rather than 'extra' safeguards because, unfortunately, it appears that all the safeguards agreed to at the meeting in December have been removed. The result is that the bill is unbalanced, and that has been widely recognised by significant sections of the community. It is a prime reason why we on this side of the House are asking that the matter be adjourned so that those protections can be put in place.

Let us not kid ourselves otherwise, this is a very important piece of legislation. As the member for MacDonnell said, it is one of the most important pieces of legislation that we are likely to see in the life of this parliament. It is not responsible of this government, in the light of the opposition that has developed to this bill, in the light of the serious concerns that have been expressed about the bill, and in the light of the quite clear lack of safeguards in the bill, to proceed with it at these sittings. This opposition is on record as saying that we support the police call for additional detention powers. We recognise that there are occasions when it is possible that police have been, and will be in the future, hampered in their investigatory work by being forced to bring a suspect before a magistrate on the earliest possible occasion.

That is a significant advance on the present law. It is a significant advance, particularly when the existing safeguards in the law are not well known by the people who may be detained. People do not know their common law rights. They do not know the Judges' Rules. If the government directed itself towards improving people's knowledge of those 2 basic areas, we might get somewhere. Furthermore, the best legal minds in the Northern Territory sat around a table and reached an agreement that, if the police were to be given additional detention powers, those additional powers needed to be balanced. In the words of the member for MacDonnell, a system of checks and balances is needed. We are calling for this bill to be withdrawn and worked on again so that those checks and balances can be provided to protect the rights of people taken into detention and so that there will be a better balance between the rights of the police and the rights of people who are detained. That is the position that we have adopted, that is why we have moved the amendment and, if this amendment is negatived, that is why we will be opposing the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to speak in support of the bill and against the amendment. I will say at the outset that I note with the greatest regret the completely ham-fisted manner in which this legislation has been brought before this House and the general public. The amateurish and bungling way it has been dealt with has encouraged much more adverse comment than was necessary. Surely the government members and the Chief Minister in particular, with all the staff resources at his disposal, even if he himself was behind the door when public relations skills were given out, must have known the great import of this legislation and should have managed the whole exercise in a more competent way. You do not appoint a committee to make recommendations, accept those recommendations and then, at a later date, knock those recommendations back. The Chief Minister appointed a working party with diverse talents and interests to comment on the first bill which was introduced last year. It commented on it in a way that went a long way towards resolving the different stances in relation to the first bill's contents. The committee's views were accepted and then, apparently, rejected. That is not very good public relations.

In respect of the urgency issue, I know for a fact that there were solid arguments in the CLP party room about seeking urgency for this bill, which is the second bill introduced to amend the Police Administration Act. The Chief Minister had no support at all from his backbench in the debate on urgency. To compound his mistakes, he urged members of the crossbenches to support him when they had not even seen the new bill. To vote in its favour with no knowledge of the matter would have implied an unthinking vote. The only saving grace in this whole sorry and sad episode is the integrity of the Northern Territory Police Force and the competence of the Commissioner of Police. What a shame their minister was so cacky-handed in his handling of

this important piece of legislation which affects them in their everyday work and also affects the public.

I have read newspaper advertisements and I went to the public meeting on Tuesday night organised by the Law Society. I heard the learned gentlemen expound their views for and against, mostly against, this legislation. I disagreed with some of the views put forward by Mr Justice Morling in the Chamberlain Inquiry, even if he was a learned gentlemen, and I disagree now with most of the views put forward by legal representatives on the violent and adverse change they expect in treatment by the police of people detained and questioned on suspicion of having committed crimes. Never let it be said, and I do not, that we have dishonest lawyers. But I ask whether there is just a smidgin of self-interest in their demonstrations of concern that this legislation is to be enacted?

Most people here and those at the meeting conducted by the Law Society are law-abiding people. I would say that we automatically put ourselves and our families, either consciously or subconsciously, in an imaginary grisly, bullying situation being hassled unmercifully by big, pot-bellied, hardened cops because we do not know the real situation. This is what certain vociferous members of the community, who all have axes to grind and are probably being supported by the taxpayers, would have us believe will happen.

The policemen are workers just like other working people. They have their job to do, just as an electrician at Channel Island Power Station or a plumber in the rural area has his job to do. Some might not be perfect but most do a good day's work. Their honesty and integrity is apparent and stands pretty high throughout Australia, especially compared to other police forces.

I have had only 1 objection to this legislation from my constituents and I pay a lot of attention to my electorate. On the other hand, I have asked many people about their impression of this legislation. Admittedly, my personal questionnaire may have been subjective. However, every man and woman said they did not understand all the details but, if it gave the cops any help in catching men like that big bad beggar who allegedly killed that young girl recently, they were all for it. I am using their vernacular.

Some of us are considering this legislation as applying to law-abiding people as if we expect the cops to come charging through our front door, interrupting our normal, legitimate, day-to-day living. I put it to you, Mr Speaker, that this legislation has been introduced to help the police to combat crime by eliciting information from suspected criminals. I bet the family of that poor young girl who was killed in Fannie Bay recently do not have any objection to legislation like this if it will help to bring the murderer of their daughter and sister to justice.

I know a young girl who lives in Palmerston very well. She lives in a Housing Commission flat and she is an ordinary, sensible young girl. She has heard someone fiddling around with her front door late at night recently and she has heard footsteps walking around outside. She is worried. She suspects a prowler with bad motives and has taken precautions which would be to the intruder's detriment. People, including young women like her, are worried now because of the increased incidence of assaults on women by intruders. These people have no worries about this legislation; they want justice in the event of attack and they want their assailant questioned to a successful conclusion. They are not too worried about the time he sits talking to the police in the interview room getting cups of tea and meals. They want justice and they deserve it. Let us think more about the victims, not the criminals or those

who are seriously suspected of being criminals. I am not saying that criminals do not deserve justice but victims deserve justice too because they carry the physical and mental scars resulting from those crimes throughout their lives. Criminals usually stay in jail for relatively few years and are treated gently with concurrent sentences and early parole.

Common law says police may question any person at any time about anything. Police General Orders and the Judges' Rules place restrictions on police behaviour in questioning suspected criminals. The criminal receives a fair go. Similarly, the Anunga Rules in the Northern Territory have been religiously observed ever since their promulgation by Mr Justice Forster. In that context, I am not worried that the government's amendments to the Police Administration Act will result in a lessening of the rights of suspected criminals. I support this legislation, despite its bungled presentation by the Chief Minister, and I will not be voting in favour of the opposition's amendment.

Mr PERRON (Industries and Development): Mr Speaker, I speak to the motion and the amendment. In doing so, I think we need to bear in mind whom the police are working for. Much of the talk here today could lead a listener to believe that the police are all from some other planet or that they are a bunch of trained gorillas or robots - and perhaps in a few decades we will be able to afford that luxury.

I have considerable sympathy for the police and I was pleased to hear the member for Koolpinyah's contribution to this debate. The police, of course, have a lousy job. We sit back here in padded swivel chairs and pass laws about how they will go about their job in catching the scum in our society and locking them away. We sit back here and pass laws that require the police to handle the dregs who frequent our public and private places, the people we want taken out of sight. No matter what abuse they get, no matter what sort of assaults they have to put up with, no matter how they are spat on and spewed upon, we want our police force to go out there and do the job. We want them to go out and pick up the busted bodies and assorted limbs and entrails from motor vehicle accidents. We want them to clean up the results of horrific crimes, people who are blown away or, in some cases, partly blown away. We expect them to deal with murders and suicides, the grisly symptoms of our society's illness.

We want the police to go out and handle these tasks for us. They do not accept their roles for the good of their health. They are not well paid, in my view, for doing their job. It has been my experience, with the limited number of police that I have known, that people are attracted to becoming policemen and women not only for the money, which in many cases is pretty poor having regard to the tasks they have to face, but also because they believe in the role that the police force plays in making our society and our community a fit place in which to live.

The Leader of the Opposition scoffs from the gallery. The member for Nhulunbuy spoke strongly about the need to protect freedoms. He called it the ultimate right and he told us that we should die to be free. That sort of thing has been enunciated from time to time in the past. I am just a layman in this exercise. I am not a lawyer or an academic of any description but, in my view, freedom has a price. Freedom is to be able to walk the streets, to be able to sleep in your bed with perhaps a couple of locks on the door but not having to be armed to the teeth and, as people are in other countries, terrified of what each night will bring. Freedom is to be able to send your kids to school by themselves, to let them walk to the bus stop or walk or ride

their bikes to school. Freedom is also the belief that, if you or your family are under threat of violence or your property is interfered with in some way, you can turn to the police and expect some protection. That is freedom and it has a price. If we want the police to do their job, the job that we give them - to protect us - then we should give them the tools to do the job. We should not give them the lousy tasks and then tie their hands behind their backs.

I wonder how many of the people who resign from police forces in frustration, after a period in training and experience, do so because of having to cope with the book of rules that was shown to members in this House today. That book is inches thick and, if police do not abide by every word of it in their processing of criminals, they will be wasting their time and the taxpayers' money and can forget the whole deal and the mess and the muck that they went through in the process. Police are also liable, if they do not follow the book, to be charged for false arrest and other serious offences. I would like to know how many people, who initially take on the job of helping society to cope, resign out of frustration at the rules and weights which are hung around their necks by people such as members of this parliament.

I am sick of all the holier-than-thou statements that I have heard over the past week in this Chamber and outside of it and the drivel perpetrated by supposedly intelligent people such as lawyers who talk about this proposed law placing the Territory in the realms of places like Chile and South Africa. It is no wonder the community out there is confused - preposterous statements have been made by people who ought to exercise a higher level of responsibility but who are merely grandstanding on this issue. I am disgusted.

The price of freedom, and I am talking about the freedoms that I mentioned - the freedom to walk streets, to sleep peacefully and to send your kids to school - may well be that some citizens, whom the police have reason to believe can help them in their inquiries ...

Mr Bell: Cheap rhetoric.

Mr SPEAKER: Order! The member for MacDonnell was warned yesterday about interjections made from other than his place. I will not correct him again today.

Mr PERRON: Mr Speaker, the price of those freedoms may well be that some citizens, whom the police have reason to believe can help them in inquiries necessary to maintain those freedoms, may be detained for questioning for a reasonable time. An interesting phrase, Mr Speaker, 'being detained for questioning for a reasonable time' - you do not even have to answer the questions, and that is the common law.

When weighing up this matter in my mind, I asked myself how the action that the government is taking will alter the possibility of an innocent citizen being detained for questioning and, subsequently, being found not to have been able to help the police with their inquiries? How is the action being taken here going to alter that situation? That is the bottom line from my point of view - how it will affect the rights of ordinary citizens who are not criminals or intending criminals. I am sure that, occasionally, a person is detained by the police for questioning and subsequently released because he is not the person they wanted or he could be of no assistance in their inquiries. No doubt, that has happened for the last 100 years or however long we have had police forces. I guess it will happen for a while in the future,

but how does this law change that situation? The facts are that it does not change that situation one iota.

Not only will this legislation not change the chances of being picked up wrongfully and subsequently released, but it will also not change one's right to redress in that situation. The right to redress and how to pursue it is the subject of another debate. The right to redress will not be altered by this legislation. That is how this legislation will affect the average, law-abiding citizen in this community who supports his police force, as I do. Honourable members on the other side of the House, with the exception of the member for Koolpinyah, ought to bear that in mind the next time they need to turn to somebody for help in the dead of the night. I wonder what phone number they will be dialling.

Mr LANHUPUY (Arnhem): Mr Speaker, I thought I would express the concern I have on behalf of the 30% of Territorians whom I represent in this House. We have just heard an emotional plea from the Minister for Industries and Development in support of extra detention powers being given to the police. The Leader of the Opposition said earlier that we have no difficulties with that. However, there should be some safeguards in place for the protection of people in the Northern Territory.

We have received telegrams from all over Australia saying that the legislation that this Assembly is considering is draconian. From my point of view, it will put my people in a very difficult situation in terms of exercising their rights as people of the Northern Territory. I could quote, but I will not, stories and information that I have heard that Aboriginal people have been mistreated in the Northern Territory. This legislation will make it more difficult for my people, especially for the older people who do not know what their legal rights are. Those people have not had the opportunity to experience and learn the ways of western society. After 200 years, we are still undergoing that process.

The Chief Minister brought his amending legislation to the Assembly last week after consultation with important people in the community such as members of the Bar Association, representatives of Aboriginal Legal Aid, representatives of the Northern Territory Police Force and members of the Law Society. Those people came to an agreement at the end of last year. A compromise agreement was reached between them. Despite that, the Chief Minister, the minister responsible for the police, introduced legislation that was totally unacceptable to the House and to the people in the working party. The people on the working party have very good reputations within the legal profession in the Northern Territory. I wonder how they feel after being slapped in the face by the Chief Minister who ignored the group's request to introduce the amendments on which they had agreed.

Because of the implications it has for Aboriginal people in the Northern Territory, I believe that this bill that the Chief Minister intends to pass through all stages tonight is the worst that I have ever seen. Some honourable members of this Assembly represent people who have at least some idea of the common law and their civil rights. My people have very little knowledge of either. The way in which this government has treated the people in the legal profession and the people of the Northern Territory generally is pathetic. I believe this legislation should be treated with the contempt with which the government has treated the Northern Territory people.

Mr REED (Katherine): Mr Speaker, I speak in support of the bill and in opposition to the amendment. We have heard many comments today and some of

them have come as a bit of a shock. The member for MacDonnell has told us that we should spend time in our electorates and we would learn the suspicions and concerns our constituents have about this bill. He suggested also that, if members on this side had the opportunity to express individual opinions, it would be clear that some government backbenchers do not support the bill. I would like to advise the member for MacDonnell that I support the bill strongly and I would not like to think that he was in any doubt that I might think otherwise. We have just heard from the member for Arnhem that the bill is unacceptable to the Assembly. The member for Arnhem might consider the views of some other members in the Assembly and wait until we see what happens with this bill at the end of the day.

The member from MacDonnell said that he did not want to hear any 'sickening calls for law and order' and the member for Nhulunbuy spoke about the inhibiting of the rights of individuals. The Leader of the Opposition told us that the bill is working against the community. They have all been out on the streets for the last couple of weeks conjuring up visions of the great lock-up, of the courts being clogged with appeals, inciting misinterpretation of the bill and confusing the public generally. There has been no mention that the persons so inhibited will be suspects in relation to criminal offences and no mention of the victims or the friends or relatives of victims of crime. It has been a process of misleading the public with irrational statements.

At the beginning of these sittings, we had a great debate about the granting of urgency to this bill and the opposition participated in that with great gusto. The member for MacDonnell, in particular, referred to the role of the legislature. He said that it was the role of members to consider legislation properly and that the government was ramming this legislation through in an absurdly hurried fashion. Those were the sort of irrational statements that we have grown to expect over the last couple of weeks - political grandstanding for the purpose of political troublemaking.

Tonight, the Leader of the Opposition reaffirmed his view that the legislation is being rammed through in these sittings when we all know that the opposition came to these sittings in the full knowledge that this legislation would be dealt with at this time.

Mr Collins: They are different bills.

Mr REED: Mr Speaker, the member of Sadadeen indicates that perhaps it is a different bill. I will quote from Hansard for Tuesday 23 February. On that day, the member for MacDonnell stated: '... I would hate whatever comments I make in respect of the Police Administration Amendment Bill, either later today or later in these sittings, to be interpreted as anything other than confidence in the police force'. The member for MacDonnell made that comment in response to a ministerial statement on the police force delivered by the Chief Minister early in the day before this bill was introduced. The opposition had been provided with a copy of this bill a week before the member for MacDonnell made that statement. The provision of bills in that manner is not the usual practice but great courtesy was shown to the opposition in relation to this matter. The opposition came into the Assembly and continued the grandstanding that it had pursued for a week, whipping up unnecessary public concern and misunderstanding in relation to the bill in the full knowledge that it expected the bill to be passed during these sittings. It is a dreadful indictment of the opposition that it came to these sittings with the expectation that it would be dealing with this bill yet it was still prepared to mislead the public in such a way. I hope that the media is

prepared to report the fact that a great con job has been pulled on the people of the Northern Territory.

We have heard from the opposition that organised crime does not exist in the Northern Territory. The bill does not deal only with organised crime. I can imagine certain circumstances where relatively minor crimes, but nonetheless crimes against society, may well be perpetrated and be dealt with under this legislation. If there were a series of break and enters in the community and if an offender were caught and taken to the next sitting of a court, as is presently required, it might only be possible, for example, to charge that suspect with offences relating to the break and enter at which he was apprehended. Because time would not be available to gather evidence on previous offences, charges might not be laid in relation to those. We cannot afford to have a situation where offenders against society are not brought to justice.

The members opposite, all of whom seem to have graduated with honours from the ALP school of selective quotation, have conveniently overlooked many factors in relation to this bill. They have focused today on a 'reasonable period'. We have heard that a 'reasonable period' might differ in relation to juveniles, adults and other people in the community. We have heard nothing of the fact that, in conjunction with the Police Administration Act, other acts such as the Juvenile Justice Act and the Criminal Code also apply. Nor have we heard that, in relation to the operation of this amendment, the safeguards are clearly in place.

The opposition conveniently overlooked the fact that proposed section 138 of the bill reads: 'In determining what is a reasonable period for the purposes of section 137(2), but without limiting the discretion of the justice or the court, a justice or court before whom or which the question is brought shall, so far as is relevant, take into account ...'. There are 14 items listed which are to be taken into account in relation to what is a 'reasonable time'. There seems to me to be adequate protection in relation to anyone to whom this bill may apply.

The member for Barkly had 2 bob each way. I am not sure what his intention is in relation to the bill. He was supporting it one moment and working against it the next. He asked how many cases have been lost because of the lack of these provisions. I do not think that is the point. The point is that we do not want any cases where offenders may not be brought to justice because the bill is not in place. That is the point. The legislation is being introduced to protect the community. Opposition members and the member for Barkly should look beyond their podium in the political grandstand out into the community where there is wide support for the bill. The ability to apprehend and bring to justice offenders against society must not be impeded. It is all right for members opposite to grandstand and gain the best political mileage out of legislation before the House but I think natural justice should become more of a priority than political grandstanding.

Many people in the community consider that offenders are treated too lightly at present. I referred to the protection that is afforded to offenders and suspects in respect of questioning by police. It should also be noted that police actions taken in the application of this legislation will be tested in the courts. The justice or the court must consider whether or not the evidence is relevant. That, in itself, must surely be a safeguard of the highest order in relation to the rights of a suspect. In addition, defence lawyers will be appearing for the defendants who will be so hard done by. Those defence lawyers will test every procedure: the detention, arrest and

the evidence provided in the court. The safeguards for offenders are quite considerable.

In relation to opposition from the legal profession, there are a couple of vested interests from the point of view of the lawyers. The member for Fannie Bay illustrated a couple of them. The professional obligation to run a Williams-Case defence is always there. One could not deny that any lawyer representing a person in court would use every opportunity to test evidence or to defend his client to the utmost. In my view, the professional obligations of defence lawyers do not always work for the betterment of the community in those circumstances. It could also be considered that, at least from the point of view of the defence lawyer, it is beneficial to limit evidence and perhaps that may be a concern in relation to this bill.

At present, suspects have to be brought before the next available court. Necessarily, in some circumstances, the time to gather evidence in respect of their activities may be limited and, as a consequence, so too would the evidence. The provisions in this bill would clearly enhance the ability of the police to put more comprehensive and complete evidence before the courts in relation to offences committed by suspects. Perhaps this is of concern to some defence lawyers. I simply ask the question. They have an obligation to do their best for their clients, but these thoughts are present in the community and they cannot be overlooked.

There will be no incarceration of the masses. A few in our society who undertake criminal activity to the disadvantage of the majority of our society will be locked up. Most of us will get off scot free. We do not have too much to worry about. I do not think we will end up in the cells next week. The police have more to do than to go around locking people up only to be castigated by the courts and, in fact, face criminal action themselves for illegal detention.

I have referred previously in this House to the quality of the police force. I would ask a few members to put themselves in the position of the policeman in the investigation of a series of offences. The police are in a position where they are virtually dependent on the cooperation of suspects if they are to bring them to court successfully. Hours of work, to no avail, protecting you and me and our families and friends would not be very rewarding in those circumstances. I ask honourable members opposite to reconsider their approach to this bill. It is essential that we provide adequate measures for the police to protect us and our society. Mr Speaker, I support the bill.

Mr PALMER (Karama): Mr Speaker, in considering this bill, one has to look at what underlies it, why the government has introduced it and the general feeling of the community. Speaking as one who has lived here for many years, Darwin used to be a fairly peaceful little backwater. Very seldom did we have major crimes and very seldom did one feel that one's life or one's freedoms were in jeopardy. If, as some of the civil libertarians would have it, this bill will take away the so-called rights of the criminal element of this society who would deny the civil rights of my children or my wife, so be it. I have no compunction about tightening police powers to ensure that the very capable police force which this Northern Territory employs can go about its business of ensuring the safety and welfare of my family.

We have before us the annual report of the Department of Law 1986-87. In case honourable members have not bothered to read it today, it contains some very interesting facts. Mr Speaker, I draw your attention to page 107 of that report. Over the last 4 years, offences against the person, including

homicide, assaults, sexual assaults and other offences have gone from a low in 1984-85 of 1214 cases brought before magistrates in the Northern Territory to 1666 in the last financial year. Breaking and entering, fraud and other offences involving theft have gone from a low, in the last 4 years, of 4133 in 1983-84 to 6104 in 1986-87. Property damage and environmental offences have gone from a low of 650 in 1983-84 to a high of 1059 in 1986-87. If that does not give a clear indication of the sort of problems that this society is facing today, I do not know what does.

As a government, we have an obligation to those who put us here to protect their civil liberties from those who would take them away from them. In my opinion, those who would intend to take away the civil liberties or invade the personal privacy of other citizens abrogate any right to civil liberty or other privileges this society may bestow on them.

Mr Speaker, proposed section 137 reads:

> Without limiting the operations of section 123, but subject to subsection (2) of this section, a person taken into lawful custody under this or any other act shall (subject to that act where taken into custody under another act) be brought before a justice or a court of competent jurisdiction as soon as practicable after being taken into custody ..

Proposed section 138 reads:

> In determining what is a reasonable period for the purposes of section 137(2), but without limiting the discretion of the justice or the court, a justice or the court before whom or which the question is brought shall, so far as it is relevant, take into account -
>
> (a) the time taken for investigators with knowledge of or responsibility for the matter to attend or interview the person;
>
> (b) the number and complexity of matters to be investigated;
>
> (c) the time taken to interview available witnesses;
>
> (d) the need of members of the police force to assess relevant material in preparation for interviewing the person;
>
> (e) the need to transport the person from the place of detention to a place where appropriate facilities were available to conduct an interview or other investigation;
>
> (f) the number of people who need to be questioned during the period of detention in respect of any offence reasonably believed to have been committed by the person;
>
> (g) the need to visit the place where any offence under investigation is believed to have been committed or any other place reasonably connected with the investigation of any such offence;
>
> (h) the time taken to communicate with a legal adviser, friend or relative of the detained person;

(j) the time taken by a legal advisor, friend or relative of the person or an interpreter to arrive at the place where the questioning or the investigation took place ...

And so it continues.

Subsections (h) and (j) implicitly contain the right of the person detained to contact certain people. Why else would they be there? Why else would the justice be required to take those matters into account? Proposed section 137 continues:

(k) the time taken in awaiting the completion of forensic investigations or procedures:

(m) the time during which the investigation or questioning of the person was suspended or delayed to allow the person to receive medical attention;

(n) the time taken by any examination of the person in pursuance of section 145.

Section 145 relates to forensic testing of the person or medical testing that may be required in relation to the gathering of evidence.

(p) the time taken during which the investigation or questioning of the person was suspended or delayed -

(i) to allow the person to rest; or

(ii) because of the intoxication of the person; and

(q) the time taken to arrange and conduct an identification parade.

These are all reasonable constraints on the time which the police have available to interrogate a suspect properly and to put their case together properly. Remember, Mr Speaker, the police have to justify to a justice or a court where the question is brought the amount of time for which a suspect was held before being brought before the court.

A suspect brought before a court, remanded in custody by that court and no longer accessible to the police for the continuation of their investigations, may well sit on remand for 9 months. The defence has 9 months in which to gather its evidence. It may have a longer period or a shorter period. The police have to account to the court for the time they questioned the suspect. The defence, on the other hand, can seek adjournment after adjournment. The police have to justify 'reasonable time'.

Mr Bell: You really don't have a deep understanding of this, do you Mick?

Mr PALMER: For the edification of the member for MacDonnell, I am addressing the bill before the House. In his 1½ hours of claptrap, he never once addressed the bill. He addressed any number of extraneous and emotive issues. He played to the gallery and, for 1½ hours, he bored this Assembly senseless. Fortunately, I went to sleep and only woke fitfully to hear his inane mumblings.

Mr Speaker, I will reiterate my point. If, somewhere, because of this legislation, an offender is detained, arrested, charged and brought to

justice, that is good. However, if this legislation were not in place and just 1 criminal, rapist or murderer were let loose in society, that would stand forever as an indictment of this Assembly. I will reiterate that I have no compunction in taking away the so-called civil liberties and privileges of the scum of this society, people who would molest our children, rape our women, break into our houses, deny our privacy, our privileges and our civil liberties.

I do not know for whom members for the opposition are speaking. They certainly do not speak for my constituents who nightly live in fear and dread of having their houses broken into and of their wives and daughters being assaulted and molested. The member for MacDonnell has no better appreciation of this bill than anyone else in this Assembly. He lives in a fantasy and a dream. He lives in some utopian society where no crime exists and where nobody prowls the streets intending to do harm or damage to other people's lives, liberty or property. Mr Speaker, I have no compunction in commending this bill to the House.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I rise to speak to the amendment and I indicate that I am inclined to support it.

Mr Hatton: How do you speak to the amendment?

Mr COLLINS: I spoke earlier. Didn't you hear me?

I am inclined to support it because it would give me time to discuss the matters before the House with my electorate. It has taken me a fair bit of time ...

Members interjecting.

Mr COLLINS: I am afraid that the level of debate is starting to fall away, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! The honourable member will not reflect on the Chair. The honourable member himself interjects on occasion. He now has the call in speaking to the amendment to the bill.

Mr COLLINS: Mr Deputy Speaker, I find it hard to understand how I reflected on the Chair.

Mr DEPUTY SPEAKER: You were describing the level of debate and were referring to the interjections that were apparent from the government benches.

Mr COLLINS: I will continue to address the amendment, Mr Deputy Speaker. I am inclined to support it because it would give me time to discuss the legislation with my electorate. I have learned a lot today from the debate but I feel that there is much more to be learned. I would also like time to examine more closely the contention of the Attorney-General that the protections which the public is calling for actually exist in the Judges' Rules, in the Anunga Rules and in the common law. I am sure that other members would also like time to look into that.

I would also like time to try to discover whether the apparent shyness of the government to specify safeguards in the bill is really due to the fact that, as the police claim, they have to act on bluff.

Mr Hatton: Have had to.

Mr COLLINS: With respect, Mr Deputy Speaker, the words 'have had to' do not alter the situation that, if this bill is passed, the police will not have to act on bluff. I do not believe that to be correct because, if safeguards are not specified, I believe the police will have to act on bluff. I cannot see anything in the bill that is before the House which would change that. I believe that the police rely to a great extent on the conscience of suspects who, being apprehended, may well be inclined to spill the beans in order to clear their conscience a little. However, if the right to remain silent or not to answer questions is spelt out, suspects may well be less inclined to do that. I believe that the government needs time to consider its whole position and to think about giving the police a proper basis to act on without any need to use bluff. The police should not be put in the position of having to bluff. It amazes me that they do as well as they do. That is another reason why I support the amendment.

Time is also needed to obtain advice as to the likely outcome of an appeal to the High Court against this legislation. Would successful appeal mean, as was suggested to me, that we would again be left to deal with the outcome of Williams Case? I want to know about these things and more time is needed.

If it is considered that we do need to adopt a specific time limit, I would certainly like to have time to study the UK model that was mentioned by the member for Araluen. The other reason that I am inclined to support the amendment is that I believe the government needs time to consider my suggestion relating to a sunset clause. I believe that would take much of the heat out of the debate in the community and would force us, after a period of operation, to review the legislation and improve on it if necessary.

Mr BELL (MacDonnell): Mr Speaker, I rise to support this amendment wholeheartedly. I suggest that the amendment offers the last opportunity for this legislature to restore one ounce of its dignity. I believe that the terms of this amendment must be accepted. In my initial remarks, I addressed the issues involved and I refer honourable members to the 5 concepts that the opposition believes need to be taken into consideration in relation to this bill.

Four of them were considered as part of the committee amendments. The first point was the right of a person in custody to have a relative or friend or lawyer informed of the fact of the arrest - proposed sections 142 and 143 in the committee amendments. The second point was the right of a person suspected of having committed an offence to refuse to answer questions - the right to silence. That was in the savings clause in the committee amendments, proposed section 143A(a). The fourth point, the onus on the prosecution to establish the voluntariness of an admission or confession, was in proposed section 143A(b) and point 5, the discretion of a court to exclude unfairly obtained evidence, was in proposed section 143A(c). The discretion of a court to exclude illegally or improperly obtained evidence was in the committee's proposed section 143A(d). The third point in this was not contained in the committee amendments but is contained in the Victorian bill that I tabled when making my earlier comments. For the benefit of honourable members, that was section 464H(1).

The attitude of the government in refusing to accept the amendment moved by the opposition is troubling. I believe that the support for this must be considered in the context of the push for statehood that the Chief Minister talks about so often. It is apposite that I point out to the Chief Minister and all government members that the fact that this legislation will render this parliament a laughing-stock around the country is a matter of serious

concern. There are many ways in which the Territory has led, and can in the future lead Australia, but this is one way that can lead only to ignominy.

Mr Speaker, I am not sure whether you caught the 7.30 Report this evening, but you may be aware that the President of the Law Society, Mr Graham Hiley, appeared on that program and gave us a piece of news that the Chief Minister has not given us yet. I look forward to the Chief Minister tabling his recent correspondence with the Law Society. Mr Hiley informed us, care of the 7.30 Report, that the Chief Minister intends to set up a review committee, that it will take some 2 years to report, and that interim reports will be provided every 6 months.

My comment on that proposal is that it is a bit like shutting the gate after the horse has bolted. If it is regarded as something of a safeguard by the Chief Minister, I would suggest that the safeguard is a little bit like using a condom after the fact. I will not even deign to call it a concession - the agreement to which Mr Hiley referred - to amend the Police General Orders not only to give a suspect or an arrestee the right to telephone a friend but to put an obligation on the arresting or detaining officer to tell the person of that right. As Mr Hiley pointed out on the television program, the enforceability of that provision is very scant indeed.

I again urge the Chief Minister and honourable members to have a close look at what both sides of the political fence are proposing. I have serious doubt that the Chief Minister has even taken the trouble to look at those provisions. I am not suggesting that they should have been adopted holus-bolus here. What I am suggesting is that the committee amendments, that included much of the spirit of that legislation - that spirit which, in turn, is reflected in this reasoned amendment by the opposition - are positive. This reasoned amendment - and it is an unusual procedure for the opposition to adopt - is meant very positively.

There was one point I was not able to make in the time available to me earlier. I refer to the tape-recording provision. The Chief Minister would have heard this, if he had bothered to turn up at the Beaufort on Tuesday night, but unfortunately he did not. The Chief Minister has suggested that the cost of tape-recording is somehow prohibitive. I recommend for his perusal and contemplation the Coldrey Committee Report which recommends tape-recording. I believe the Coldrey Report discusses the costs and benefits of taping, and a pilot scheme is being conducted in Victoria at the moment. I made some inquiries of the Director of Public Prosecutions, John Coldrey, with respect to that report and with respect to the public debate in Victoria. He apprised me of one area that I was not aware of and that is - and I think this will appeal to the money-conscious members of the government ...

Mr Collins: Only when it is their own.

Mr BELL: I take the interjection from the member for Sadadeen. I suspect that that may be the case but, at least in this case, I would like them to bear in mind that there is an offset to the cost of taping and it is this. Supreme Court trials were estimated as costing $30 per minute in Victoria in 1985. Given increased costs in the Territory, I would expect one would not be surprised if, 3 years later, the cost of Supreme Court trials in the Territory did not run to something like $50 a minute. That is big dollars.

The Chief Minister was very disdainful of $45 tape-recorders. However, one of the advantages of taping is that it shortens the time of trials for indictable offences. That has been the experience in Scotland. I commend for

the perusal of the government the Australian Institute of Judicial Administration's Report, and I suggest that this bill should be deferred in terms of the reasoned amendment that the opposition is proposing so that consideration can be given to that report. I think the report is popularly called the 'Shorter Trials Committee Report'. The implications of that should be quite obvious even to this government. Shorter trials will mean less cost. The Scottish experience has been that taping is highly cost-effective; it saves time and money.

I suggest that that is a further matter that ought to be investigated. In the time available to prepare for this debate, I was not able to table that report. I have been advised of it by the Director of Public Prosecutions in Victoria and I suggest that this debate has been basically uninformed as well as hasty. It is designed to overturn fundamental legal principles that have been held of great importance in Australia for 200 years - a fine little bicentennial gesture. In conclusion, basically, I say bad cess to the government. I think it is deserving of the strongest possible condemnation for proceeding in the way it has.

Mr TUXWORTH (Barkly): Mr Speaker, I am speaking to the amendment. I would like to raise a few points that have come out of the debate in the last hour or so because there are still some interesting observations to make. The first is that I do not believe there is a great deal of difference at all between any of the speakers in the sense that we all want to give the power to the police that they need to do their job well and be effective. Where we do seem to have some difference of opinion is on the manner of doing that, and in the way that the powers that are being provided are not being balanced with provisions that need to be in place if the police are to obtain the benefit of their new law.

A point I meant to raise earlier, which I would ask the Chief Minister to address in his reply, is the matter of pre-arrest detention. It was raised by the Commissioner of Police during the debate on Tuesday night. It was not given a great deal of weight, but it was certainly something that stuck in people's minds and I thought about it later. I thought I would raise it with the Chief Minister to ask him whether he or anyone else has any plans at all to consider the introduction of pre-arrest detention. If there are no plans, then that matter needs to be scotched pretty early because it is one of the things that I believe could cloud the central issue in this discussion and debate. I think most members would agree that the possibility of pre-arrest detention raises some interesting questions that would need to be thoroughly debated by the legal profession itself as well as the police before it even came near this House. If it is the case that we will never have to consider it, I think the Chief Minister could do us a service by putting it to rest.

The member for MacDonnell mentioned that the Chief Minister would make an announcement in relation to the bill. The Chief Minister interjected to say that he had not had a chance to do it. I am not privy to the announcement that he was going to make but I would have thought there was plenty of time for the Chief Minister to have done it even through one of the other speakers or simply to circulate the advice for the benefit of members so that we have not been talking for 4 or 5 hours without the knowledge of some important aspects that are germane to the whole discussion. We might well find, at end of this debate, that the whole thing has been a bit of a scam because the announcement the Chief Minister will make is of great significance. If we are to have a committee of review as outlined by the member for MacDonnell, which is a part of the Chief Minister's announcement, I would think that the committee of review could probably do its job before the legislation was

passed so that we would not spend 2 years examining something that we did not think through properly in the first place.

In relation to the possibility of writing into the Police General Orders what rights and what responsibilities the police have in relation to the issue, I do not know what legal standing the Police General Orders have in court, but I can tell the Chief Minister, and he knows it as well as I do, that copies of the Police General Orders are about as common as a dinosaur's whatname. If any member of the public ever wanted to see the contents of Police General Orders, he would need to have good cause and an inspector would be standing there while he showed him the relevant section. It is quite common knowledge that if lawyers who defend police against actions by the public want to see a copy of the Police General Orders, they not only have to beg for it but they have an inspector standing there while they read it and he takes it away. If this is the sort of availability that the Police General Orders have, anything written in them is irrelevant to the public so far as people's rights are concerned. This again raises the point that people should be made aware of what their rights are.

The Minister for Industries and Development made a very emotional speech about the rights of victims of crime and he struck a chord with everybody in this House. There is a great deal of concern in the community and in this House for the victims of crime. I raised it myself in debate the other day on a statement from the Chief Minister. The victims of crime want some form of satisfaction and they are certainly not receiving it. How one provides it to them is another matter. Could the Chief Minister explain to the House exactly what impact this legislation will have on improving the rights of victims? If he is saying that the victims will be appeased and their situation redressed by this legislation, I think that is fantastic. I will knock off and go home. But, if that is not the case, then it is a hollow argument for the minister to advance.

The Minister for Industries and Development spoke about the need for the police to have powers to catch the scum of our society. If this particular amendment will redress the problems the police have in catching the scum of our society, that is terrific. However, the impression the commissioner left the meeting with the other night was that there were a few other things that needed to be done to enhance the position of the police. As I said earlier, I am all in favour of giving the police the powers they need to do their job properly. Let us obtain a list of them and, after they have been considered, let us pass them. At the same time, let us address the issue of the checks, balances and safeguards that must accompany the further powers that the police want. I do not mind if the House suspends standing orders in order to bring the commissioner to the bar so that we can hear at first hand what needs to be done if the police are being hampered in their job. No one has advanced the proposition yet that this legislation will cure those problems. For members opposite to be advancing the law-and-order issue and arguing that this legislation will be a panacea for our problems in the community is, I think, biting a little too hard.

The Minister for Industries and Development admitted tonight that the community is confused. The community most certainly is confused and there is no need for it. If we adjourned the legislation for a month or two ...

Mr Perron: And let all the ratbags carry on as they have been carrying on for the last week.

Mr TUXWORTH: Mr Speaker, I will address the interjection by the minister about ratbags running wild in the community. Of course there are some ratbags there. There are also many reasonable and intelligent people in the community who want to address the issue. The legal profession would like to sit down with the government and review all the things in this legislation that were not even contemplated or addressed in the last draft of the bill that came before the House. There is no need for the confusion and the government could put an end to it fairly quickly.

The honourable minister also said that the opportunity for redress will not be any different after the bill is passed than it is today. That is true, but people are not arguing about redress. They do not want to take anybody to court for false arrest. They want to know what their relationship is with the police when they are taken to the station for questioning or whatever. That is not unreasonable.

The member for Katherine raised the question of what is 'reasonable' under proposed section 138. The simple answer is that there is no definition of 'reasonable' because everybody will have his own interpretation of what is reasonable in the circumstances. If you are a policeman doing the job, your interpretation of what is reasonable will be totally different from that of the person whom you have detained. We will never come to agreement on what is a reasonable time for police to do their job.

The member went on to say that there has been much grandstanding in respect of this legislation. He would have to admit that the government has provided plenty of opportunity for political grandstanding for those who want to engage in it. He has not been shy himself in undertaking a bit of grandstanding. When the federal Minister for Aboriginal Affairs moved to give Katherine Gorge away, I recall that the member for Katherine did quite a bit of grandstanding. That is what it is all about, but he cannot criticise other people if they want to do it too when he drops his guard.

The member for Katherine also raised the matter of offenders being treated too lightly. I would bet that every parliamentarian who has passed through here has made a comment in debate at some time about how people are not treated severely enough by the judges or the magistrates. I cannot see how that will ever change. We are not in the court all day with the judges, watching every aspect of a case, and we are not there when the decision is explained and handed down. We will always have upset in the community because the sentences handed down by the judges are not considered severe enough. This legislation will not change any of that. It is not designed to and we should not confuse the issue.

Mr HATTON: A point of order, Mr Deputy Speaker! Is this a debate on the bill and everybody who has spoken on the bill? It is a debate on the amendment. The honourable member had an opportunity, and he used his full time, to debate the bill.

Mr DEPUTY SPEAKER: There is a point of order. I ask the honourable member to address his remarks to the amendment.

Mr TUXWORTH: Mr Deputy Speaker, I will confine my remarks to the amendment. I will touch on the comment that there was opposition from the lawyers because they have a professional or a vested interest. They ought to have a professional and vested interest and, if it is different from the one that we have, that is all right. They are entitled to have that interest and they are paid to look after the interests of their clients.

There is one other matter that I would like to raise. It is unfortunate timing that this legislation has been introduced at about the same time that revelations were made in Queensland about the Whiskey Au Go Go man. There is a possibility that this man spent 15 years in prison for something that he may not have done.

Mr COULTER: A point of order, Mr Deputy Speaker! We have before us a very clear amendment. I cannot see how anything the member for Barkly is saying is related to that amendment. You have already instructed him to address his comments to the amendment.

Mr TUXWORTH: Speaking to the point of order, Mr Deputy Speaker, the minister was a little premature in that he has not heard what I have to say.

Mr DEPUTY SPEAKER: There is no point of order so long as the member relates his remarks to the amendment.

Mr TUXWORTH: It relates to the concern in the community and I raise the Whiskey Au Go Go matter in this context. Members would remember when that case concluded and the convicted persons were sentenced. Many people said: 'What, 15 years? They should have hanged the so-and-sos!' As I recall, I was one of those who thought the sentence was a bit light. In the past few weeks there has been a realisation by many people in the community that perhaps there was a miscarriage of justice and perhaps a man has served 15 years for something that he did not do. Whether or not the facts are there to sustain the gentleman's plea of innocence is another matter. However, it is certain that many people in the community have done a double-take about the possibility that that has happened. With this legislation being considered in the context of that possibility, and that is purely a matter of unfortunate timing, people's interest and concern has been raised.

The member for Sadadeen raised a matter which was mentioned by the Commissioner of Police: the problem of the police having to rely on bluff. It was discussed during the debate and was understood quite well. Why should the police have to rely on bluff? We ought to give them the specific powers they need to do their job. The commissioner cited an instance the other night of how the police operate with bluff. This legislation will not have the slightest impact on that problem.

Mr Manzie: Of course it will.

Mr TUXWORTH: It will not and you would not know because you were not there. If you had turned up, it would have been a jolly good thing.

Mr Dale: It seems that this meeting was the be-all and end-all of everything.

Mr TUXWORTH: I am not saying that, but it was one of the most interesting debates that has ever been held in the community.

As far as police powers are concerned, let us give them all the powers they want and let us make sure that any balances and safeguards that need to be put in place are put in place. But let the people in the legal profession who deal with these matters every day be the ones to decide what the checks and balances are and how they ought to operate. Let them send their advice to us for implementation because at the moment we are doing it the wrong way around.

Mr HATTON (Chief Minister): Mr Speaker, I rise to speak to the amendment proposed by the member for Nhulunbuy. The amendment says that this bill should be withdrawn and redrafted to include those safeguards which were agreed to by the committee of interested parties established to examine the original bill in December of 1987. It lists 6 separate concepts which the opposition would like to see included.

The opposition's belief that the legislation should be withdrawn is clearly linked to the report of the committee of review which was tabled in the House by the member for MacDonnell. That refers to a series of things: the right of a person in custody to have a relative, friend or lawyer informed of the fact of the arrest by a member of the police force unless the police have reasonable grounds for refusing the request and, in serious cases, the right of a person suspected of having committed an offence to have information required and any responses thereto tape-recorded unless it is impracticable to do so. Secondly, it refers to the right of a person suspected of having committed an offence to refuse to answer questions or to participate in investigations except where required to do so by or under an act or a Commonwealth act. I will deal with each of those points in due course. I do not propose to deal with the substantive matters associated with the second-reading of the bill before the House at the moment but rather with specific amendments.

The debate on this matter began in September 1987. It is not an issue that has suddenly arisen out of the blue in the last week or so. This matter has been on the public agenda and on the agenda of this Assembly since September 1987. In relation to all those members, particularly the member for Sadadeen, who seem to think that they have not had enough time to consult with their constituents about some of the principles and issues involved in this proposed legislation, I would like to know what they have been doing for the last 6 months.

Mr Bell: They believed you were going to accept the committee amendments.

Mr HATTON: Listen to him rabbiting on, Mr Speaker.

Mr Bell: How in hell do we deal with your refusal to take on the committee amendments when we only have 2 weeks to do it?

Mr HATTON: The member opposite made the most outrageous statements in his speech but I paid him the courtesy of listening in silence. He cannot keep his mouth shut for 5 seconds, Mr Deputy Speaker.

Mr Bell: Not in the face of that sort of arrant nonsense.

Mr DEPUTY SPEAKER: Order!

Mr HATTON: Mr Deputy Speaker, I propose to deal with the opposition amendment now but I remind honourable members that the issues associated with the police detention powers have been before the Assembly and on the public agenda since September last year. The committee of review did not begin its work until December and some of its recommendations were not formally presented to Cabinet until about 3 weeks ago. I would like to make a couple of points about that. Firstly, in that entire period, nobody ...

Mr LEO: A point of order, Mr Deputy Speaker! The Chair has already ruled that speakers shall confine themselves to debating the amendment and not the bill. I believe that the Chief Minister is not speaking to the amendment.

Mr HATTON: Mr Deputy Speaker, I am speaking to the first part of this amendment which specifically refers to the withdrawal of the bill before the House.

Mr DEPUTY SPEAKER: There is no point of order.

Mr HATTON: Mr Deputy Speaker, I did not write this amendment. I am just addressing myself to it.

The amendment seeks to have the bill withdrawn and redrafted to incorporate a series of safeguards. Members opposite have dwelt on the supposed lack of safeguards but at no stage, in the debate in this House or outside it, has there been any honest suggestion that any of the rights of citizens of the Northern Territory are being removed, either under common law or the various rules referred to today.

Mr Smith: Of course they are.

Mr HATTON: If members opposite would give me the same courtesy I have given them during the last 6½ hours, they might hear the arguments.

Members opposite have referred to the right of a person in custody to have a relative, friend or lawyer informed of the fact of arrest. I refer them to the provisions of the Police General Orders in respect of interviewing witnesses and, in particular, the references to the right of a person to ...

Mr Bell: Police General Orders are not statute law. They are irrelevant.

Mr HATTON: If the honourable member wishes to keep demonstrating his ignorance, I suppose I should let him interject.

There is a provision in Police General Orders which relates to questioning, statements, admissions and confessions. No 6.1 reads:

> If so requested by the person charged, the member for the time being in charge of the investigation shall, where applicable and in appropriate circumstances, allow the person in custody to telephone a relative, solicitor, a person who might be able to arrange bail ... If such a member thinks it preferable, that member may make such telephone calls on behalf of the person.

Mr Speaker, the courts have frequently ordered that the Police General Orders be presented in court and police have been interrogated in respect of their application of these rules. In the event that they have not applied the rules, they have had the validity of their evidence questioned. The orders, quite clearly, are used by defence counsel to ensure that the police have acted properly and to ensure that persons apprehended have the right to make contact with their relatives, friends or legal counsel. Whether members opposite like it or not, I am advised that these orders have been used in court and have led to evidence being dismissed by the courts. That provides protection for people under detention. I will deal separately with the matter of tape-recording. The right of a person suspected of having committed an offence to refuse to answer questions or to participate in investigations, except where required to do so by or under a Commonwealth act, is really again seeking to restate what nobody denies is the existing right of people - the right to remain silent. It is a common law right ...

Mr Smith: That nobody knows about.

Mr HATTON: Mr Speaker, the right to silence is there. Evidence of a confession or admission made to a member of the police force by a person who is suspected of having committed a serious crime is inadmissible as part of the prosecution's case ...

Mr Smith: Everything you say you have a choice to say.

Mr Collins: You don't have to say anything.

Mr Smith: What does the caution say? If you say anything, it will be taken down.

Mr SPEAKER: Order! I have tolerated quite a number of interjections tonight and I ask that the Chief Minister be heard in silence.

Mr HATTON: They really are a rabble over there, Mr Speaker.

Mr Bell: That is because the competition is so poor.

Mr HATTON: I would like to deal separately with item 3, which relates to tape-recording. The onus is on the prosecution to establish the voluntariness of an admission or confession made by a person suspected of having committed an offence. That is a test that is required on the admission of all evidence before the courts and, if the honourable members opposite ask their legal advisers, they will learn that that is a fundamental test of any evidence that is presented to a court. There is nothing in this legislation that takes away that right. It is there, Mr Speaker. The argument should be whether the existing common law rights are retained as common law rights or whether those common law rights are put into statute law. That is what the issue is. If it is recognised that these elements are in the common law, why fight to have them placed in statute law?

Mr Smith: So that people might know about them, that is the reason.

Mr HATTON: Mr Speaker, the Leader of the Opposition cannot keep himself from interjecting perpetually. I think it is a new strategy he is using to try to disrupt the business of this Assembly. Mr Speaker, I would like to know how many people who are in detention sit down and read the Police Administration Act? That is what the Leader of the Opposition is suggesting by that sort of nonsensical comment.

Mr Smith: How freely available are the Police General Orders? Can you get hold of a copy of the Police General Orders? Are they in the interview room?

Mr HATTON: Mr Speaker, we have had endless debate today that quite clearly demonstrates that, if evidence has been obtained unfairly, defence counsel will use that as a defence in the courts. They have the right to do so now, and the courts exercise their discretion in respect of that matter. It does not need to be written into any law. The rights and the procedures are there in the discretion of the court to exclude illegally or improperly obtained evidence. That is a matter regularly tested in the courts. If that is upheld in the court, and it has to go to a court whether it is written into the law or relies on the common law, the same result occurs. The evidence is thrown out. There is no need to write this into the legislation because the rights of citizens exist now and will exist after this legislation is enacted.

The member for Nhulunbuy dealt with the matter of reasonableness, and I think it is an interesting debate. The member for Nhulunbuy was saying that this test of reasonableness is crazy. What is reasonable? We heard the Leader of the Opposition ask that question and the member for Barkly. What is reasonable in one situation and what is reasonable in another? I understand there was an interesting debate the other day, in respect of what Humpty Dumpty's interpretation of 'reasonable' was, by the gentleman who was supposedly giving an unbiased legal statement of the position prior to the debate last Tuesday evening actually occurring. I understand it was quite a clever story too, Mr Speaker, and I congratulate ...

Mr Bell: Shame you didn't have the guts to front.

Mr SPEAKER: Order! The honourable member will withdraw that remark and, if he continues tempting the Chair tonight, he will be named.

Mr Bell: I withdraw unreservedly, Mr Speaker, but I do make the ...

Mr SPEAKER: The honourable member will withdraw unreservedly and not debate the issue.

Mr Bell: I withdraw, Mr Speaker.

Mr HATTON: Mr Speaker, if reasonableness is such an amorphous term, I wonder how the courts have been surviving for the last several centuries when they have been judging whether there was 'reasonable' cause to detain a person, whether a person was detained for a 'reasonable' period of time or when they were determining whether the onus of proof had established guilt beyond a 'reasonable' doubt with respect to a particular criminal offence. All those situations involve the issue of reasonableness. If there is one term that criminal courts understand, it is the test of reasonableness, because they deal with the matter in every case that comes before them. That term is fundamentally clear to the judiciary, in particular the judiciary dealing with criminal offences. To criticise the use of 'reasonableness', given that it has been the fundamental of criminal law and criminal prosecution for centuries, denies history and reality.

Having castigated the concept of reasonableness, the member for Nhulunbuy then proposed an amendment which would incorporate the concept of a reasonable period for detention. He argued against reasonableness, then promoted the concept of introducing a proposal for a 'reasonable time'. He referred to the proposals of the committee of review which - contrary to the original bill, which proposed fixed times - recommended a 'reasonable time'. The legal profession said that it preferred the use of the concept of a 'reasonable period' rather than a fixed time, and we accepted that. In respect of the fundamental concept of detention and the period for which a person should be detained, the test of 'reasonable time' was the one that was recommended, and accepted. The honourable member cannot support the concept of having 'reasonable time' in the legislation whilst arguing with the whole concept of 'reasonable time'. He is arguing against himself and that is the fundamental problem he has.

It is true that there are other elements of the recommendations of the committee of review which were not addressed. I do not know, Mr Speaker, whether you would hold that it is appropriate for me to deal with those whilst dealing with the amendments, given that the issues that were raised by the committee of review were the issues raised by the member for Nhulunbuy in his amendment, but I am quite happy to do so if you do not rule that I would be going beyond the scope of this debate, Mr Speaker.

Mr SPEAKER: I suggest that the Chief Minister seek leave to broaden his remarks.

Mr HATTON: Mr Speaker, it may be more suitable if I deal with those in the appropriate context after the proposed amendment is defeated and we return to the original motion. That is the way that the government will be voting.

The Assembly divided:

Ayes 6	Noes 16
Mr Bell	Mr Coulter
Mr Collins	Mr Dale
Mr Lanhupuy	Mr Dondas
Mr Leo	Mr Finch
Mr Smith	Mr Firmin
Mr Tuxworth	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Amendment negatived.

Mr HATTON (Chief Minister): Mr Speaker, I trust honourable members opposite will maintain some decorum in the course of my response closing the debate. A number of significant and important matters have been raised during the course of this debate with respect to the bill and they need to be addressed. I will endeavour to address these matters as clearly and as briefly as possible.

There has been significant debate about what is known as Williams Case and many interpretations of it have been offered. I will take an interpretation that is in the Review of Commonwealth Criminal Law Discussion Paper No 3. The committee that prepared this is chaired by Sir Harry Gibbs, the ex-Chief Justice of the High Court of Australia. I will read this, Mr Speaker:

> The case of Williams v The Queen makes it clear that, in Australia, in deciding whether an arrested person had been taken before a justice as soon as was reasonably practicable, it is not relevant to consider the time needed by the police to complete their investigation. Time must, of course, be allowed to formulate and lay charges and to find an available justice and bring the arrested person before such a justice. There is no legal objection to the police questioning an arrested person who is willing to answer questions, but it is not permissible to delay bringing the arrested person before a justice simply to allow the questioning to be concluded.
>
> A police officer, who has reasonable grounds to believe that a person has committed an offence, and who makes an arrest accordingly, may have insufficient legally admissible evidence of guilt, but is not

allowed time to obtain such evidence or, for that matter, to attempt to confirm or dispel the belief or suspicion on which the arrest was based, except such time as may happen to be available before the arrested person can be brought before the justice.

Mr Speaker, that is a statement in the Review of Commonwealth Criminal Law Discussion Paper No 3, September 1987.

Mr Smith: Why don't you read the next paragraph? Read 5.5, the next line.

Mr SPEAKER: Order! The Chief Minister will resume his seat. I think I have been fairly tolerant. Even the Leader of the Opposition will agree that, in the last sitting when the Chief Minister was speaking in the adjournment debate, the Leader of the Opposition interjected constantly, and I let him go. However, in fairness to all members, the reply closing the debate should be heard in silence.

Mr HATTON: Mr Speaker, in summary, that is the essence of the problem that is confronting the police in the Northern Territory and elsewhere in Australia. Whilst it is true, and I readily accept that there has not been a change in the definition of the common law as a result of Williams Case, there has been a definitive and binding statement on all jurisdictions because it was a High Court judgment that set that out.

Previously, this has been a very grey area of law and that greyness is demonstrated by the fact that the full Federal Court dealt with this matter immediately before it was referred to the High Court and it ruled the other way. It ruled that that evidence should have been admissible because of the greyness surrounding the law. Finally, the matter went to the High Court which ruled differently and made a binding decision. For the first time in relation to this matter, a decision was made that was binding on all jurisdictions, including the Northern Territory jurisdiction. Any defence counsel who is presented with a circumstance where a Williams-type defence may present itself will be bound professionally to bring that to the attention of the court because it is his responsibility to conduct his defence of the person to the best of his ability and to use whatever is available, including that High Court decision.

The member for MacDonnell referred to the murders ...

Mr Bell: The Huckitta murder.

Mr HATTON: The Huckitta murders.

Mr Bell: Murder.

Mr HATTON: The Huckitta murder. That particular incident did cause changes to police procedures and resulted in changes to the Juvenile Justice Act. It is true that some mistakes were made by police in delaying contact with the family etc. People let the system down, but otherwise the police demonstrated propriety. There is no doubt about the voluntary nature of the confessions, but delay did cause problems. In Collins Case, the court had no definitive guidelines in the form of Williams Case. However, I might say that the new legislation ...

Mr Bell: You are the bloke who knows. Tell us how Williams Case would have applied.

Mr HATTON: Mr Speaker, is this a discussion or an address in reply closing the debate?

Mr Bell: When you talk nonsense, I cannot help it.

Mr HATTON: Mr Speaker, there were no guidelines for the court. However, the Juvenile Justice Act now provides clear guidelines on how to deal with juvenile justice matters. It sets legislative controls and obligations on police in addition to controls such as the Anunga Rules. The court accepted most of the evidence but only because the police had acted reasonably. However, Collins Case quite clearly shows how long a normal and proper investigation can and does take. The courts must know and the public should know what the guidelines are in respect of a reasonable time for police to carry out necessary investigations.

The member for MacDonnell also made many references to this legislation being introduced because of organised crime. He referred to the letter from the Chairman of the National Crime Authority indicating that this is an organised crime matter. I have the 2-page letter here but I will not take up the time to read it. However, there is no mention in that letter, dated 7 January 1987, of organised crime at all. The Leader of the Opposition should be aware of the response sent to him on 25 February 1988. The response said:

> I refer to your letter of 24 February 1988 concerning proposed amendments to the Police Administration Act. As indicated in the chairman's letter of 7 January 1987 to the Chief Minister, the authority's concern was that, following the High Court's decision in Williams Case, there should be enacted in the Territory legislation enabling police to detain persons in custody for questioning. The bill attached to your letter seems to the authority to meet that concern.
>
> With regard to your second question, the authority did not have in mind legislation applying to organised crime. I have sent a copy of this letter to the Chief Minister.

The letter is signed by P.H. Clark, the Acting Chairman of the National Crime Authority.

Mr Speaker, quite clearly this was not an organised crime matter. I simply make that point because it is yet another furphy being thrown across the trail. It is dealing with crime in general. It may well intersect with organised crime because no part of Australia is free from the influence of organised crime ...

Mr Bell: The CLP.

Mr HATTON: Mr Speaker, at least the CLP does not engage in the organised crime of misleading the community in the way that the opposition does.

The member for Sadadeen argued that passage of this bill has been too rushed. A bill dealing with this very matter was introduced in September 1987. It was debated in the community and has been available to honourable members ...

Mr Smith: It was not debated.

Mr HATTON: The issue has been debated in public since September of last year. Every honourable member has had some 6 months to become aware of the issues involved. I believe at least the member for MacDonnell attempted to do that but I might say ...

Mr Bell: And succeeded.

Mr HATTON: I would not go quite so far as saying that he actually succeeded.

The member for Barkly said that there is some confusion in the community as to whether or not any cases will be affected by this legislation. He claimed that I said there are 2 cases and that the Commissioner of Police has said there are no cases. The Commissioner for Police advises me that what he said was that there had been no cases where the Williams defence had been brought before the court but there are several current cases where there may be potential for Williams Case to be used as the only form of defence against prosecution and conviction. I will not enter into debate on this, but that is the position adopted by the commissioner. That is consistent with the position that I have been putting forward in respect of the 2 matters I was using by way of example.

In respect of the proposition that argument on what is 'reasonable' will tie up the courts unnecessarily, if that is the case the whole of criminal proceedings would be tying up the courts unnecessarily. Fundamentally, the whole criminal process relates to the concept of reasonableness - reasonable detention, reasonable cause for arrest, proof beyond reasonable doubt etc. I would submit that, if there is one concept that the criminal courts understand, it is the concept of reasonableness.

I have also dealt with the issue of civil rights. We have referred to the Anunga Rules, the Judges' Rules, Police General Orders, the police disciplinary procedures, the Ombudsman, civil actions that are possible against abuse of police powers and the Juvenile Justice Act and its provisions. Even in this bill, there is a protection in proposed section 138 itself. By this section, the onus is on the police to justify the period of detention. There are 14 matters, paragraphs (a) to (q), to be taken into consideration when determining what is 'reasonable'. With 1 exception, these are identical to what was agreed in the discussions with the legal fraternity and the committee of review. The one that was not incorporated is in respect of ...

Mr BELL: A point of order, Mr Speaker! I would seek your advice in this regard but the Chief Minister patently misled the House with respect to the criteria he referred to in proposed section 138 of the bill before the Assembly. He referred to all the criteria, with 1 exception, in proposed section 138 being identical to the committee amendments. In fact, you will find that very few of the criteria in (a) to (q) are, in fact, the same as those in the committee amendments. The Chief Minister has misled the House - which is a nice way of putting it.

Mr SPEAKER: I am advised that there is no point of order.

Mr HATTON: Mr Speaker, I will agree that a number of words are different. I am advised by Parliamentary Counsel, however, that they incorporate all the elements that are included in the committee of review draft. I accept the advice of Parliamentary Counsel who has far more knowledge of the interpretation of the details of this than I have. The exception is proposed

paragraph (a) 'the period of time reasonably required to bring the person before a justice or a court of competent jurisdiction'. This is a duplication of matters dealt with elsewhere in the proposed section and that is the reason that was left out. Apart from that, the remainder of the criteria in that list were incorporated in this bill.

Mr SMITH: A point of order, Mr Speaker! I take up the point of the member for MacDonnell that the Chief Minister is misleading the House. In what has now become proposed section 138(d), the word 'expeditiously' has been omitted from the committee amendment. That significantly alters the meaning of the paragraph (d) in front of us. There is one other example where a significant word has been left out in respect of forensic investigations. I would ask the Chief Minister to correct the record and not persist with this fiction that there have not been significant changes to the items that now constitute proposed section 138.

Mr HATTON: Mr Speaker, I have honestly advised this House on the advice that I was given.

Mr Smith: You had better check your advice.

Mr HATTON: Mr Speaker, I have not said that every word in that is identical.

Mr Smith: You did - except for one.

Mr HATTON: I have said, Mr Speaker, that I am advised that this incorporates the elements. You did not listen to the second part, Terry. You are too busy trying to find ways of disrupting this address.

Mr Smith: Well, why don't you get your facts straight?

Mr SPEAKER: There is no point of order.

Mr TUXWORTH: Mr Speaker, may I speak to the point of order?

Mr SPEAKER: I have ruled on that point of order. Does the member for Barkly wish to raise another one?

Mr TUXWORTH: Could I raise a point of order in relation to the dispute between the 2 honourable members? It would seem to me, Mr Speaker, that if the Leader of the Opposition is right - and we would have to turn the tapes back for a couple of seconds to hear exactly what the Chief Minister said - but ...

Mr SPEAKER: Order! The honourable member is speaking to a point of order on which I have already ruled.

Mr TUXWORTH: I am sorry, Mr Speaker. I thought you invited me to raise it again.

Mr HATTON: Mr Speaker, I am again advised that the substance of the matters that were referred to by the committee of review are in the bill. That is the first time I have made that statement.

Mr Smith: That is not what you said the first time or the second time.

Mr HATTON: Mr Speaker, I will not continue with that debate. I note those conditions because they provide a safeguard within the legislation for the person who is detained.

I will not go through the common law issue again except to make 1 point. The debate has waxed and waned quite significantly between the statute law and the common law. When this matter was first raised, there was a significant argument from those opposed to the legislation that we should not interfere with the common law, that we should leave the common law as it is. That position is particularly adopted by the legal fraternity. It argues that the common law has been developed over centuries and should remain untouched. That was raised in debates on the Criminal Code, the Motor Accidents (Compensation) Act and the Work Health Act. On numerous occasions, the legal profession raised that argument in the context of attacks on people's civil liberties and rights.

I do not want to denigrate the role of the common law because I think it is an integral and vital part of the whole legal fabric of our community. The point I am making is that the argument seems to have turned itself around. We are saying that people have their rights in common law. The opponents of this are arguing that they are not happy with those rights being protected under common law and that they want them enshrined in statute law. That is what members opposite are arguing also. They are not interested in common law rights; they want them converted into statute law rights. They are not arguing that the rights do not exist; they simply want them reflected in legislation, with all the difficulties that that can lead to.

Mr Smith: Where is the common law right for tape-recorders?

Mr HATTON: The Leader of the Opposition raises the issue of tape-recorders.

Mr Smith: It has been around for 300 years, has it?

Mr HATTON: Mr Speaker, in the Northern Territory, tape-recording and video-recording have been used for a considerable period, particularly in relation to major crime. Neither the government nor the police force is opposed to tape-recording of interviews. We probably use it more extensively than anywhere else in the country. We are certainly not opposed to it but a legislative requirement that it be used in every case is quite a different matter. However, I now formally advise the Assembly that the government, in conjunction with the legal profession, will enter into trials on the use of tape-recording and will develop rules and regulations which can be incorporated into the law. I am advised that there is no jurisdiction in this country which presently has a legislative requirement for tape-recording. I am advised that such a requirement is contained in legislation before the Victorian parliament but has not yet been enacted because that government and its police force are currently trialing the use of tape-recording. At the conclusion of that process and when all of the procedures have been worked out, the legislative process will be finalised. That is my advice and I will stand corrected if somebody can indicate a law in this land which requires tape-recording. We will trial it and then address the matter of legislation.

Mr Smith: Show us a legislature with a reasonable time requirement.

Mr HATTON: The Victorian legislation has a 6-hour requirement that has been found to be totally unworkable. An amendment is currently before that parliament and it contains a 'reasonable time' clause.

Mr Smith: An amendment to provide for tape-recording too!

Mr HATTON: They are both there.

The legal profession does not want a fixed-time provision ...

Mr Bell: You wanted 48 hours, plus!

Mr HATTON: ... because it believes there is a danger that police would use all the time that was available to them, be that 18 hours or whatever. The profession felt that it was better for the determination of a reasonable time to be left with the courts. We are prepared to support that position.

Mr Smith: How come Victoria can get the checks and balances in 1 bill and you cannot?

Mr HATTON: Mr Speaker, I have advised on that.

Another matter I wish to deal with relates to the $45 tape-recorders to which the member for MacDonnell referred.

Mr Bell: No, you did that in your second-reading speech!

Mr SPEAKER: Order! I have been tolerant with the member for MacDonnell, like other members. He was heard for a long period of time in almost total silence. I have ignored a number of rather pointed interjections from him. The honourable member is on his final warning.

Mr HATTON: I refer to the National Police Research Unit's 'Executive Brief' of February 1988, issue 8. One of the issues addressed in that publication was the examination of suspect tapes. I quote:

> Following a very comprehensive report by Inspector P. Jones of Victoria Police, assisted in part by Sergeant R. Kilburn of the NSW Police, Principal Research Officer Barbara Murphy is preparing a report on the project. After discussion with Dr M. Moody of Queensland Institute of Technology, the NPRU is exploring the design of a technician-level course which will concentrate on minimising the need for enhancement and authentication. However, the course will be designed in cognisance of the possible disputing of tapes, to demonstrate the authenticity of tapes.

Mr Speaker, research is already under way. It also covers the issue of tamper-resistant recording.

> Barbara Murphy has distributed a report which evaluates 3 tape-recording systems currently available for the recording at police interviews. The report discusses the legal issues and gives special attention to the methods provided by each system for authenticating tape-recordings. The report provides a list of essential and desirable characteristics for any system.

We are not just talking about Woolworths or K Mart tape-recorders, Mr Speaker ...

Mr Bell: I am getting your second-reading speech, Steve. You made that remark, not me.

Mr SPEAKER: Order!

Mr HATTON: Mr Speaker, I said that anybody who thought the tape-recorders were Woolworths or K Mart models was kidding himself. That is what I said in my second-reading speech and I can give the honourable member a copy if he really wants one.

Mr Bell: I am getting a photocopy, just to remind you.

Mr HATTON: Mr Speaker, I hope people will understand that we intend to trial tape-recording. We are prepared to look at introducing legislation at the completion of the trial when we are satisfied that all the issues have been fully dealt with. In the meantime, I remind honourable members that tape-recording is and has been used here for some considerable time in crime detection, not only audio tape-recording but video recording as well. It is used, wherever possible, in relation to major crimes.

Mr Speaker, I would like to refer finally to correspondence sent to the President of the Northern Territory Law Society today. It addresses some of the concerns about the application of this law. There will be a phasing-in period and we are conscious of the need to ensure that police are thoroughly trained and fully understand how to properly apply this new law. It will have to be monitored carefully to ensure that there is no potential for abuse. We are satisfied that sufficient rights exist to protect people but naturally we would like to ensure that our procedures, practices and training are satisfactory.

The member for Barkly mentioned the potential for legislative safeguards, to use the common terminology, and, if appropriate, to work through the implications of those. What I said to Mr Hiley is this: 'The Police Administration Amendment Act (Serial 83) ...

Mr BELL: A point of order, Mr Speaker! The Chief Minister's time has expired.

Mr SPEAKER: There is no point of order. The Chief Minister's time has not expired.

Mr HATTON: 'The Police Administration Amendment Act (Serial 83) is currently before the Legislative Assembly. It is likely to pass through final stages today'.

Mr SPEAKER: Order! The Chief Minister's time has expired.

Mr COULTER (Treasurer): Mr Speaker, I move that the Chief Minister be granted an extension of time to complete his remarks.

Motion agreed to.

Mr HATTON: Mr Speaker, the only reason I need an extension of time is because of the continuous interjections from members opposite.

Mr Bell: It is because of the arrant nonsense you are coming out with.

Mr HATTON: I will try to advise the House and other interested people of my advice to the president of the Law Society today. My advice was:

The Police Administration Amendment Act (Serial 83) is currently before the Legislative Assembly. It is likely to pass through final stages today. I have announced that I am committed to a review of the legislation and to wider issues of police powers and the rights of suspects. I have determined that a review committee should be established with the attached terms of reference. The committee shall consist of 5 members, 2 of whom are to be nominees of the Law Society and the remainder to be appointed by me. I anticipate other representatives will be a nominee of the Attorney-General and another nominee of the Police Commissioner. I would hope the final appointee might be someone who would generally be regarded as being independent.

The review committee will be required to submit a report to me at the expiration of 2 years from the commencement of the legislation and will be entitled to make such interim reports as it thinks fit or as are required by me. In this regard, I anticipate that 6-monthly interim reviews will be appropriate.

You will note that the committee shall be entitled to receive submissions from the interested parties and the public generally. Accordingly, I invite the society to participate in the review and put forward its nominees. Acceptance of my proposal will not be taken by me as representing your society's acceptance of the legislation. I acknowledge the views your society and other related bodies have expressed. Finally, I draw your attention to proposed amendments to Police General Orders in terms of the attached draft. It is intended that they be implemented as soon as possible.

I await your response.

Mr Speaker, I advise that, on receiving those interim reports, I will refer them to this Legislative Assembly so that they will be available for all honourable members. They could well be in the form of a specific report from that committee to this House. There is no intention to keep them secret or away from this House's scrutiny.

I will now read the terms of reference of the Review Committee on Police Investigation and Rights of Persons Suspected or Accused of Crime.

The functions of the review committee are to examine, having regard both to the interests of the community in bringing offenders to justice and the rights and liberties of persons suspected or accused of crime and taking into account also the need for the efficient and economical use of resources, whether changes are needed in the Territory in:

(a) the powers and duties of the police in respect of the investigation of criminal offences and the rights and duties of suspect and accused persons, including the means by which these are secured; and

(b) such other features of criminal procedure and evidence as relate to those matters; and

to make recommendations to the minister as it thinks fit and at such times as the minister directs.

In addition to its functions above, the review committee may examine and make recommendations to the minister on:

(a) the operation of the amendments affected by the Police Administration Act; and

(b) such other matters concerning investigation of criminal offences as are referred to the body by the Chief Minister.

For the purposes of the review, the review committee may call for and receive submissions from the public. The committee shall provide a final report at the expiration of 2 years from the date of commencement of the Police Administration Act 1988.

Mr Speaker, the amendment to Police General Orders has to do with the issue of notifying persons about persons who are in custody.

Mr Smith: Are you going to table a copy?

Mr HATTON: I am quite prepared to table a copy, Mr Speaker. In fact, I will arrange for photocopies to be made so that all members can have them.

Mr Tuxworth: What, of all the police orders?

Mr HATTON: No, of this. I do not have that big book.

Mr Speaker, I will read items 6, 6.1, 6.2 and 6.3:

6. A person held in custody is entitled to have a relative, friend or someone who is likely to take an interest in the person's welfare informed of the fact of the detention and the place of detention, unless the member in charge of the investigation believes, on reasonable grounds, that:

   (a) the communication would result in the escape or the alerting of an accomplice or the fabrication or destruction of evidence; or

   (b) the questioning or investigation is so urgent, having regard to the safety of other people, that it should not be delayed.

6.1 Subject to 6 above, a member intending to hold a person in custody for a period longer than would have been authorised but for the provision of section 136(2) of the Police Administration Act shall, before the commencement of that extended period, ensure that the person is advised of and, as far as practicable, understands that he or she has the entitlement referred to above and the member shall defer the questioning of the person or investigation of the matter for a time that is reasonable in the circumstances to enable the necessary communication to take place.

6.2 If so requested by the person charged, the member for the time being in charge of the investigation shall, where applicable and in appropriate circumstances, allow the person in custody to telephone a relative, solicitor, a person who might be able to arrange bail, a doctor etc. If such a member thinks it

preferable, the member may make such telephone calls on behalf of the person charged.

Those amendments will be inserted into the Police General Orders and, as I have indicated, they are and have been brought as procedural material before the courts and police have been, and presumably in the future will be, cross-examined on their application of those Police General Orders.

That, fundamentally, addresses the issue of ensuring that the person is advised of his or her right to be able to make contact with people outside. I believe that this will answer the one aspect of the arguments of members opposite that did have some validity: that, whilst there was a right for a person to be able to make a phone call, there was no provision that required the police to inform the person that he had that right. That will be addressed by these amendments. The review committee will provide a vehicle to ensure that the Police Administration Act, including the application of this particular legislation, will be addressed in a comprehensive and detailed way.

There is one final point that I would like to make. I dispute totally the suggestion by the member for Arnhem that this legislation will in any way disadvantage Aboriginal people. It does not in any way affect the Anunga Rules which will continue to operate as before.

The member for Barkly raised the matter of pre-arrest detention. I am advised that there is no proposal at this stage. I certainly have not received one, but I guess it could be considered during the full discussion to which I have referred. However, we believe that the passage of these amendments to the Police Administration Act would probably make any such proposals unnecessary.

Mr TUXWORTH: A point of order, Mr Speaker! I am sorry. I did not want to cut the Chief Minister off halfway through a sentence. My point of order is in relation to his offer a moment ago to table the Police General Orders. I ask the Chief Minister if he would be prepared to table the total general orders so that we can see the context in which that particular section is to be inserted?

Mr SPEAKER: That is not a point of order as such. I think it is a question that possibly could be asked during the committee stage, although I am quite prepared to allow the Chief Minister to answer if he so desires.

Mr HATTON: Mr Speaker, I am prepared to table a copy of the Police General Orders. I am not going to circulate it individually, but a copy will be tabled in the House. We can do it now, I understand, if members can be patient. I apologise to the member for Barkly and other members. I seek leave to table both a copy of the correspondence to the President of the Law Society and the attached documents to which I have referred.

Leave granted.

Mr HATTON: Mr Speaker, with your leave, could I clarify a point raised by the member for Barkly. Is he seeking the entire Police General Orders?

Mr TUXWORTH: By leave of the House, Mr Speaker, in clarification, I was seeking a copy of the full Police General Orders so that this particular section can be taken in the full context. I do not want to keep it. I am happy to give it back.

Mr HATTON: I will make a copy available to the honourable member.

The Assembly divided:

Ayes 16	Noes 6
Mr Coulter	Mr Bell
Mr Dale	Mr Collins
Mr Dondas	Mr Lanhupuy
Mr Finch	Mr Leo
Mr Firmin	Mr Smith
Mr Harris	Mr Tuxworth
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to; bills read a second time.

In committee:

Police Administration Amendment Bill (Serial 83):

Mr CHAIRMAN: Is it the will of the committee that clauses 1 to 6 be taken together?

Mr BELL: Mr Chairman, because of the seriousness with which the opposition views these bills, it is the intention of the opposition to speak against each and every clause.

Mr CHAIRMAN: Including the short title?

Mr BELL: Including the short title.

Clause 1:

Mr BELL: Mr Chairman, because members of the opposition have a fundamental objection to the principles involved in each of these 3 bills, we wish to place on record our objection to the short title of this bill.

Clause 1 agreed to.

Clause 2:

Mr BELL: Mr Chairman, in view of the fact that the principal act is the Police Administration Act and is likely to be referred to as such, this is perhaps one of the less contentious clauses in this bill.

Clause 2 agreed to.

Clause 3:

Mr BELL: Mr Chairman, this is one of the more substantial clauses in this bill. As I said in the second-reading debate, this is the first clause that amends reference to the need to bring a suspect before a justice or a court. This is such a deeply-entrenched principle in statute that I believe we will have more and more of these.

Clause 3 refers to the issuing of arrest warrants and the processes that have to be pursued in that regard. For the benefit of honourable members, I point out that the removal of 'and shall be brought before a justice unless sooner released on bail' from section 121(8) removes wording that in fact expresses the fundamental common law principle that has been the subject of debate all day in this Assembly. I have no hesitation in opposing it in committee in the strongest possible terms.

Mr SMITH: Mr Chairman, this clause gives concern to members of the opposition. I want to give you a practical example of our concern, and that is the recent case involving Mr Bob Ellis, the Director of the Aboriginal Sacred Sites Protection Authority.

Mr Manzie: What has that got to do with it?

Mr SMITH: If you will listen, I will tell you, you clown.

Mr CHAIRMAN: Order! I ask the Leader of the Opposition to withdraw that last remark. It has been a long day, and we will be in the committee stages for several hours. Let's keep our cool.

Mr SMITH: Mr Chairman, I withdraw any suggestion that the honourable minister could possibly be seen as a clown.

Mr Chairman, as I understand it, Bob Ellis was summonsed on a warrant, arrested and taken from his office to the police station. The problem is that, if this provision had been in operation, it would have meant that, once he arrived at the police station, Mr Bob Ellis would not have been able to apply for bail. The police would have had the option of keeping him there and conducting further inquiries.

Mr Perron: For a reasonable period.

Mr SMITH: For a reasonable period. The problem that I have with this is that, to obtain a warrant in the first place, the police have to apply to a magistrate or some other member of the judiciary. Once a warrant has been executed and the person taken to the police station, it seems inappropriate that the police should need further time to conduct further inquiries before the person is permitted to apply for bail or whatever else is appropriate in the circumstances. That causes me some concern. Once the police have sufficient evidence to present before a magistrate for a warrant to be issued, why do they want further time to conduct inquiries before they are prepared to allow a person to seek bail?

Mr BELL: Mr Chairman, this is both a suggestion and a question to the Chief Minister. Section 121 of the act deals with the process whereby warrants are issued and executed. The bill deletes the requirement to bring the person apprehended before a justice. I ask the Chief Minister why the government, instead of simply omitting that sentence, has not provided that, in the case of a warrant issued under subsection (1) - where an application has been made to the court and executed - the person arrested shall be charged with the offence specified in the warrant and shall be dealt with according to

new division 6. A reference to new division 6 would be more appropriate than simply lopping off the words 'and shall be brought before a justice unless sooner released on bail'. I would appreciate the Chief Minister's comments in that regard.

Mr HATTON: Mr Chairman, under the existing provision, there is a requirement that a person arrested 'shall be brought before a justice unless sooner released on bail'. To avoid confusion, that part of the provision is now deleted. The requirement is now governed by the new provisions to be incorporated under clause 4 of the bill.

Mr BELL: That is not good enough. If I heard you correctly, you said that section 121(3) refers to going before a justice to obtain the warrant.

Mr HATTON: No, I did not.

Mr BELL: Mr Chairman, my understanding of the gist of the Chief Minister's comments was that, because there are references to a justice in subsection (3), somehow any need for further reference is obviated.

Mr HATTON: Mr Chairman, this matter is addressed later in the bill in relation to section 137(1).

The committee divided:

Ayes 16	Noes 4
Mr Coulter	Mr Bell
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

Clause 3 agreed to.

Clause 4:

Mr BELL: Mr Chairman, at the risk of being calumniated as pedantic by the member for Barkly, I will once again place on record the opposition's objection to clause 4. Clause 4 does to clause 123 what clause 3 did to clause 121, and we object to it just as strongly. Section 123 deals with arrest without warrant and subsection (2) sets out the procedures to be followed once somebody has been arrested without a warrant. It refers to certain actions that are required of the arresting officer and to the conditions under which it is lawful to continue to hold a person in custody.

Of the reasons for continuing to hold the person in custody, 2 are quite acceptable. These are: '(b) to prevent the loss or destruction of evidence relating to the offence'. This clause will remove the other reason for holding them which is set out in paragraph (a): 'to ensure the appearance of the person before a court of competent jurisdiction in respect of the offence'. That will no longer be a ground for continuing to hold a person in custody. Given the objectives of the bill, I would have thought that the retention of paragraph (a) would be quite sensible. The police can arrest the person on reasonable grounds that the person has committed, is committing or is about to commit an offence. He can be held to ensure that he does not destroy evidence or scarper before he is brought before the court. Paragraph (a) is quite consistent with that.

Mr HATTON: Mr Chairman, section 123 sets out the circumstances in which a police officer may continue to hold a person arrested. Essentially, these are: to ensure the person's appearance in court, to prevent a repetition of an offence, or to prevent loss or destruction of evidence. Ensuring the court appearance has now been extended by the proposals in this bill and is covered by proposed new sections 137 and 138. The deletion of the term 'only' in section 123(2) and the deletion of paragraph (a) are logical. Section 123 is not the only section under which police will be able to hold an arrested person if this bill is passed.

The committee divided:

Ayes 16	Noes 4
Mr Coulter	Mr Bell
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Tuxworth	

Clause 4 agreed to.

Clause 5:

Mr BELL: Mr Chairman, the opposition opposes this clause. It applies to a situation where an officer comes across somebody for whom he suspects a warrant of arrest has been issued under sections 121 or 122. That person is then arrested and section 124(2) refers to the processes which are then required. Where the suspect is charged with an offence, the current instruction to the officer under section 124(2) is that he 'shall be brought before a justice unless sooner released on bail'.

Mr Coulter interjecting.

Mr BELL: I make no apologies for dragging this out, Mr Chairman. That extraordinarily trite response from the Minister for Mines and Energy makes me wonder why members of the opposition ...

Mr FIRMIN: A point of order, Mr Chairman! The member is not addressing himself to the contents of the clause.

Mr CHAIRMAN: The member for Ludmilla's point of order was that the member for MacDonnell was not addressing himself ...

Mr BELL: Mr Chairman, you will no doubt have heard the interjection from the Minister for Mines and Energy ...

Mr CHAIRMAN: It was not recognised because he was not in his place.

Mr BELL: Mr Chairman, it may not be recognised but, with respect, I would point ...

Mr CHAIRMAN: I ask the member for MacDonnell to confine his remarks to clause 5.

Mr BELL: Mr Chairman, I will indeed do so.

Basically, the opposition's objection is to the removal from section 124 of the words, 'and shall be brought before a justice unless sooner released on bail'. This reflects the philosophical position that the opposition has adopted throughout this debate. We object fundamentally to the removal of such expressions from the act.

Mr HATTON: Mr Chairman these provisions are deleted as they are no longer necessary. They are covered by proposed sections 137 and 138.

Mr SMITH: Mr Chairman, of all the clauses in this bill, this one gives me the most concern. Section 124(1) of the act says that a member of the police force may take someone into custody with or without a warrant and section 124(2) says that, after a few processes are undertaken, the person is charged with the offence specified in the warrant. To obtain the warrant, the police have had to go to a magistrate in the first instance. Members opposite are asking us to accept the situation where, after the person has been charged, he does not have to be taken to the magistrate at the first available opportunity. That has taken the whole matter one step further. There could be some argument for detaining a person on reasonable grounds of suspicion in order to investigate particular matters so that charges can be laid at a further date. However, we are being asked to extend that to a person who has been charged. He will not be taken to a magistrate at the first available opportunity. I would like the Chief Minister to provide justification for that. The police have done the work and laid the charge yet, for some reason, the Chief Minister is not prepared to have him brought before a magistrate. It is about time he explained.

Mr HATTON: Mr Chairman, I refer the Leader of the Opposition to proposed section 137.

Mr SMITH: Mr Chairman, that does not cover it. We are talking about the situation where the person has been charged by the police. They have whatever evidence they think is necessary and they have laid a formal charge. Explain to me why the law should not insist that that person be taken before a magistrate at the first available opportunity.

Mr MANZIE: Mr Chairman, it is rather disappointing that the Leader of the Opposition has not received some reasonable advice on this. If a person is arrested on a warrant, the warrant would have been issued after application on oath to a magistrate or a justice. When the warrant is served and the person is arrested under that warrant, according to proposed section 137, he will be taken into lawful custody and brought before a justice or a court of competent jurisdiction as soon as practicable. A reasonable time in relation to the serving of a warrant would be immediately. As the Leader of the Opposition pointed out, there is no need for further investigation because a warrant has been issued. The matter of reasonable time is something that will be considered by the courts. Obviously, if the warrant has been applied for and granted, there is no need for any further action to be taken except the bringing of the person before the court. Any action which could be construed as deliberately holding that person somewhere without taking him to the court would constitute an offence. If the Leader of the Opposition has a problem it is because he does not understand.

Mr Smith: You have a problem. You haven't read 124(2).

Mr MANZIE: As the Chief Minister pointed out, the words are being removed because it is covered under proposed section 137. It is very simple and it is not contentious.

Mr LEO: Mr Chairman, I am not convinced by the arguments put by either the Attorney-General or the Chief Minister. What is being proposed by the amendment is that part of section 124(2) be deleted. If a person is charged, the assumption is that the police have collected sufficient evidence. The magistrate who issued the warrant was convinced that there was ample reason for the person to be arrested and charged. I want to know why there should not be a requirement to bring that person before the court at the earliest possible opportunity. I do not accept the Chief Minister's argument about holding him to pursue further evidence as a reasonable concept of law. When charges have been laid, why is it so unreasonable to expect that the person should appear before a magistrate as soon as possible? How long do you want to hold a charged person in the slammer for? I do not accept what has been put so far by the Chief Minister or the Attorney-General.

Mr Hatton: Have you read the bill?

Mr LEO: Certainly, I have read the bill. You explain it to me. Your explanation so far has been inadequate.

Mr HATTON: What is offending honourable members opposite is the reference in section 124(2) that, where a person has been charged with an offence specified in the warrant, he shall be brought before a justice unless sooner released on bail. I would refer honourable members to proposed new clause 137(1) which reads:

> Without limiting the operation of section 123, but subject to subsection (2) of this section, a person taken into lawful custody under this or any other act shall (subject to that act where taken into custody under another act) be brought before a justice or court of competent jurisdiction as soon as practicable after being taken into custody, unless he or she is sooner granted bail under the Bail Act or is released from custody.

It goes on to outline reasons why a person would be detained in custody. The determination of 'reasonable period' is set out in clause 138. None of

those 'reasonable period' criteria allows a delay after the person has been charged. Proposed section 137(1) covers the circumstances addressed in section 124(2) and therefore 124(2) is superfluous.

Mr SMITH: Mr Chairman, that is absolute nonsense. The Chief Minister has just said that, if a person has been charged, none of the requirements of proposed section 138 applies. Thus, the point is that there is no reason why those words in section 124(2) should be removed. Any reasonable person would accept that, if you charge a person with a particular offence, it is only proper and appropriate that he be brought before a court at the earliest possible time. Section 124(2) says that and the Chief Minister has not given us a reason why those words should be removed. In fact, he has given us a reason why they should stay there.

Mr MANZIE: Mr Chairman, to make sense of what the Leader of the Opposition has been arguing all day, one would think that he would want the police to arrest on warrant as often as possible because, to obtain a warrant, evidence has to be given on oath to a justice. We are not talking about arrest without warrant which police have the power to do under certain circumstances when they have reasonable grounds to believe that an offence has been committed. We are talking about arrest with a warrant. The warrant has been issued and the person is to be brought before the court. The time which elapses before that person is brought before the court has to be reasonable. The courts will decide whether it is a reasonable time, not the police. The court has to take into account what is reasonable under the circumstances relating to proposed section 138. All we are arguing about here is whether it is right and proper for the police to arrest with a warrant or without a warrant.

The Leader of the Opposition has been calling out and making comments all day that do not bear any relation to the facts. Not one member opposite has addressed a problem in the bill all day. They have had great fun, but they have not spoken to the issue. We have another example of their lack of knowledge. A little knowledge is a dangerous thing. When they take what they have been saying all day to someone with a little knowledge of these things, they will be embarrassed and will hang their heads in shame.

Mr LEO: Section 124(2) as it stands and the provisions of proposed section 137 are substantially different. I do not understand why it is necessary for a person who has been charged to be detained any longer than the next opening of the court. There has to be reasonable grounds before a warrant is granted. The Attorney-General read out precisely what section 137(1) says. The significant part of it is 'without limiting the operation of section 123 but subject to subsection (2)'. A person can be charged and the mechanism by which he is held can be subject to subsection (2) which reads:

> Notwithstanding any other law in force in the Territory (including the common law), a member of the police force may, for a reasonable period, continue to hold a person he has taken into lawful custody to enable - (a) the person to be questioned; (b) investigated ...

What the Chief Minister is proposing is that a person who has actually been charged, who has had a warrant issued against him ...

Mr Manzie: He hasn't been charged.

Mr LEO: He has been charged. That is precisely the point. He had a warrant issued against him and it is still not enough that he goes to court at the earliest possible time. I want to know why that is so. I want to know why the subject of a warrant, which is supposedly issued on good grounds unless you are handing them out like confetti, is not brought before a magistrate at the earliest possible opportunity.

Mr HATTON: Mr Chairman, a person can be arrested when there are reasonable grounds to believe that that person may have committed an offence. There is a difference between reasonable grounds to suspect that a person has committed an offence - developing a circumstance where you can demonstrate a reasonable cause to arrest - and proving a case beyond reasonable doubt. There is a difference between the arrest criterion and investigation to the the point where it is believed that guilt can be proved beyond a reasonable doubt at which time the person would be taken before the court on specific charges. There is a difference between an arrest warrant and a specific warrant containing a charge of an offence.

Mr TUXWORTH: Mr Chairman, there seems to be something missing in this debate and I would seek clarification from the Chief Minister. As I understand what the Chief Minister is saying, if a citizen is arrested under proposed section 138, there is a requirement for him to be charged and brought before a magistrate within a reasonable time but, if he is arrested under section 124, which is an arrest with a warrant, then there is no requirement for him to be brought before a magistrate within a reasonable time or even at the earliest practicable time. Mr Chairman, would you confirm whether that is the Chief Minister's proposition?

Mr Coulter: Section 124 is out the window.

Mr TUXWORTH: Then let him confirm it for himself. Now that the Chief Minister is back, Mr Chairman, I will ask it again. I am seeking clarification from the Chief Minister. As I understand the proposition that has been advanced, if a person is arrested under section 138, there is a requirement under proposed section 138 for that person to be taken before a magistrate within a reasonable time. Under subsection 124(2), where a person is arrested on a warrant, there is no requirement for that person to be brought before a magistrate within a reasonable time. Would the Chief Minister confirm whether that is the situation?

Mr HATTON: Mr Chairman, proposed new section 137 refers to arrest with or without a warrant. There is no better way for police to demonstrate that they have reasonable cause than by going before a magistrate and having an arrest warrant issued because they have to demonstrate reasonable grounds to the magistrate in advance. It is equally true that there are circumstances that arise on the streets where a person may be arrested or 'pinched' and taken away without the physical issue of a warrant.

There is a long way between having reasonable cause to effect an arrest and then the necessity to carry out further investigation to reach a point where a specific charge is laid. What this clause is saying is that, as with other elements, reasonable time is required between the warrant to arrest and when a specific charge is laid and a person is brought before a justice.

Mr SMITH: Mr Chairman, there is a major communication problem. Subsections 124(1) and (2) mean to me that, without the warrant, the police can arrest a person for whom a warrant has been issued. Subsection (2) provides that the police are required to produce the warrant as soon as

possible. After the production of the warrant, the person shall be charged with the offence specified in the warrant. The existing subsection (2) then goes on to provide that the person 'shall be brought before a justice unless sooner released on bail'. Given that a warrant has been issued and that investigations have been completed, why are you not prepared to have the person brought before a justice as soon as possible unless sooner released on bail? That is the question; give us an answer.

Mr HATTON: I will go through it again.

Mr Smith: You are not even answering the question.

Mr HATTON: I am going to answer the question. The answer is that, once he has been charged, he is then taken, as soon as practicable, before a court.

Mr Smith: That is what the section says at the moment. Why do you want to omit the last provision?

Mr HATTON: The point I have been making, Mr Chairman, is that proposed new section 137 in the bill requires that.

Mr Leo: No, it doesn't.

Mr HATTON: It does, subject to proposed subsection (2). Proposed subsection (2) says: 'Notwithstanding any other law in force in the Territory (including the common law), a member of the police force may, for a reasonable period, continue to hold a person he has taken into lawful custody in custody to enable - (a) the person to be questioned; or (b) investigations be carried out, to obtain evidence of or in relation to an offence involving that person, whether or not (c) it is an offence in respect of which the person was taken into custody; or (d) the offence was committed in the Territory'. That provides the circumstances ...

Mr LEO: That is a reasonable period of time provision. I will accept that.

Mr HATTON: The determination of a reasonable period is provided for in proposed new section 138. Circumstances could arise whereby a person is arrested on a warrant for a particular charge and, in the course of investigation, a series of other offences become identified. Are honourable members saying that the police should immediately turn their backs on those offences and merely deal with the specific offence for which the person was originally arrested on warrant? Should they ignore the other offences that may arise in the investigation? The proposed provisions will enable the police to carry out investigations into those other offences that may arise in the course of those investigations.

Mr MANZIE: What the Chief Minister has said sets the matter out pretty clearly for the opposition, but I will add a little to it. If the warrant has been issued and there are no problems in regard to further investigation, obviously the matter would go straight before the court under proposed section 137(1). If, for example, it were an extradition matter relating to a series of offences in the Territory and the police had had a warrant issued and had won custody of the offender from another jurisdiction, they might need time to continue the investigations. This is fairly normal in respect of extradition matters. Under proposed sections 137(2) and 138, there would be the ability for them to use reasonable time to continue the investigation before the offender was brought before the court.

Once again, I stress that it is the courts which decide what is a reasonable time. I am sure that anyone with a little common sense would realise that, if the police arrested someone on a warrant, threw him in the cell for a couple of days and then brought him before a court, the court would be very quick to find that that was not a reasonable time. That is laid out clearly in the legislation - in the reasonable period criteria - and the common law would also ensure that the courts would act properly. I think it is time we stopped further argument on this matter because it is really a furphy.

Mr BELL: Mr Chairman, I must point out to the Attorney-General that, with this legislation, the government is in fact preventing the court from taking into consideration the overall time that somebody is held, provided the arresting officer can demonstrate that the criteria under proposed section 138 are met. It means that people can be held for any time, as I mentioned during the second-reading debate. I remind honourable members that one of the criteria that a court has to take into account was the period of time reasonably required to bring the person before a justice or a court of competent jurisdiction. That has gone. Exactly the circumstance that the Attorney-General raised is not possible. As I said in an aside to the Chief Minister, I believe that this particular section generally leaves massive scope for injustice. That is one point.

The other point is that the ...

Mr HATTON: You have it the wrong way round.

Mr BELL: I do not think you really understand the relationship between common law and statute law. The fact of the matter is that this replaces the common law as far as determining what a reasonable time is. The court is obliged to take into consideration only these criteria.

Mr Finch: Not only.

Mr BELL: If it is not only these criteria and no more, you tell me where that is specified. I would appreciate a contribution from the Minister for Transport and Works although I do not believe he will be able to give it to me. But he might like to show me where the court has any discretion in choosing other criteria ...

Mr Hatton: They are in proposed new section 138. Read them - 'without limiting the discretion of the justice or the court ...'. What do you want?

Mr BELL: 'Without limiting the discretion of the justice or the court'.

Mr Hatton: That is right. It sets out guidelines.

Mr BELL: Yes, Mr Chairman, that is exactly what committee procedures are for. I accept that. I appreciate that we have elucidated that but, if that is the case, I still can see no reason why that total period of time should not be taken into consideration. I cannot see why that particular criterion was removed from the committee amendment. I think the Chief Minister will be at least sympathetic with my suspicions.

I endorse the objections that my colleagues have raised with respect to this section. Take the circumstance of a warrant being issued on the basis that there are reasonable grounds to suspect that person X has committed an offence. The removal of the requirement to bring him before a justice is now

subject to a number of criteria including, for example, paragraph (g) which allows a delay if there is a need to visit 'the place where any offence is believed to have been committed ...'. The use of the word 'any' in the new legislation to replace the word 'the' means that the offence investigated does not have to be the one for which the warrant was issued originally. It can be any offence whatsoever.

Mr Manzie: What a lot of rubbish! What do you think the courts would say about that?

Mr BELL: I am saying that the power ought to be more specific under this amendment. Apart from the safeguards which we have spent about 8 hours discussing, I think it should be more limited.

Mr COLLINS: Mr Chairman, I have received advice which clarifies the matter for me and I will give an example to make it clear to honourable members.

Imagine that 2 people hear a scream and see a man climb out of the window of a house and that one person is smart enough to tail the man to the airport. The other person, finding that a woman has been attacked, calls the police. The person at the airport telephones the police to tell them that the fellow is trying to get on a plane. The police go to a magistrate seeking a warrant and persuade the magistrate that the warrant is justified. The warrant is issued and the police then apprehend the man at the airport and charge him with the offence specified in the warrant. In that situation, however, additional time might be needed for such things as a medical examination. In rape cases, there are ways of testing body fluids to determine what has occurred beyond all reasonable doubt. The amendment to section 124(2) which the bill proposes will give the police the right, provided they use reasonable time, to carry out further investigations. That seems perfectly reasonable and sensible to me and I believe it would be supported by the community.

Mr SMITH: Mr Chairman, I hope everybody realises that we are not abusing the privileges that we have in committee by speaking as often as we have to. Hopefully, this will be the last time that I speak.

Section 137(1) gives the power to hold people on reasonable suspicion or under a warrant and to conduct investigations sufficient to provide evidence necessary to lay a charge. I have problems, however, with the situation where a person is not brought before a magistrate once the charge has been laid. It is a pretty basic denial of habeas corpus for a start and I am sure that any reasonable lawyer, if his client has been charged but has not been presented before the court, will go to the Supreme Court seeking a writ of habeas corpus because the situation represents a very basic denial of natural justice.

That aside, under the powers set out in new section 137(1), the police will not charge a person until they have sufficient evidence. If they have concerns about other crimes that the person might have committed, they will not charge him for the one for which he has been taken into custody. They do not have to charge the person until they have sufficient evidence of all crimes they suspect him of having committed because they have the power to hold him for a reasonable period of time. In the light of that, I cannot then understand why the government wants to remove from section 124(2) the requirement that, once a person is charged, he should appear before a magistrate at the earliest possible time.

Mr TUXWORTH: Mr Chairman, it seems to me that we have 2 standards of arresting and charging and presentation to the magistrate.

Mr Smith: No, I do not think we have.

Mr TUXWORTH: That is what we need to clear up. Under proposed new section 137, there will be an obligation to bring the person before a magistrate in a reasonable time whilst, under proposed new section 124(2), there is no need to bring the person immediately before a magistrate if he has been arrested under a warrant.

Mr Hatton: That is being deleted.

Mr TUXWORTH: Are you saying it is the other way around? So there is a discrepancy.

Mr Hatton: Yes.

Mr TUXWORTH: That inconsistency is what I have a problem with. I think the obligation is to bring the person before a magistrate at the earliest possible time. We should not be contriving excuses to delay that happening. My question to the Chief Minister is: why do we have to have 2 different routes for taking a person before a magistrate at the earliest possible time? That is clearly what we will have under the new legislation. One provision is fairly relaxed about the need to bring the person before a magistrate and the other requires that it happen as soon as possible.

Mr HATTON: Honourable members are not addressing the fact that a person may be arrested with or without a warrant. It does not necessarily mean that the person will be charged forthwith. There may be some investigations between the arrest and the laying of a formal charge. This legislation takes into account the fact that, during the course of investigations which may lead to a charge following an arrest, other matters requiring investigation may also arise. Proposed section 137(2) recognises that but the existing section 124(2) does not. It says that 'the person shall be charged with the offence specified in the warrant and shall be brought before a justice unless sooner released on bail'. It limits the charge to the offence for which the person has been arrested. Irrespective of what might arise in the course of investigations, further charges cannot be laid. That is the problem with section 124. We are saying that proposed section 137 should govern this process. Once the suspect has been charged, proposed section 137(1) will still require that he be brought before a magistrate as soon as practicable.

Sittings suspended.

The Chairman resumed the Chair.

Clause 5 agreed to.

Clause 6:

Mr BELL: Mr Chairman, I am a little concerned about what clause 6 will do to the tourist industry. I do not propose to labour our objection to this clause at great length but, once again, it removes the key provision, in this case applying to the arrest of offenders from interstate, that they should be brought before a justice as soon as practicable. The opposition fundamentally opposes this concept.

Clause 6 agreed to.

Clause 7:

Mr TUXWORTH: Mr Chairman, I move amendment 27.1.

This will insert in proposed section 138, before the words 'In determining', the following:

'In determining what is a reasonable time for the purposes of section 137(2), the justice or court before whom or which the question is brought shall accept as a law of the Territory that the right to personal liberty is the most elementary and important of all human rights, and shall have regard to that fact'.

Mr Chairman, my amendment will not have a great deal of impact on the other provisions of the clause but I believe that it is absolutely essential to state one principle very clearly and to carve it in stone if necessary. It is not unusual for us to write into legislation the essential principles that we believe the legislation is based on. This is an occasion where, I believe, it is important that we establish and state a basic principle: that we believe the right to personal liberty is the most elementary and important of all human rights. I seek the government's support for amendment 27.1 because it is important to relate the provisions of proposed new division 6 to the essential underlying right to individual liberty.

Mr HATTON: Mr Chairman, I understand the point the member for Barkly is making. His amendment, however, will not necessarily achieve his purpose. The effect of the amendment is quite uncertain and could readily lead to considerable argument about the meaning and intention of the section. It contains the words: 'shall accept as a law of the Territory that the right to personal liberty is the most elementary and important of all human rights, and shall have regard to this fact'. It is arguable that such wording may also in fact override the duty to hold the offender in custody. It certainly creates uncertainty about the whole intention of clause 7. Whilst I am not objecting to the principle of the fundamental right to personal liberty, the reason for holding people in custody is that they have offended against somebody else's rights. The argument here is that the person detained has a right first and foremost to liberty and that seems to be in contradiction of the whole essence of detention.

Mr TUXWORTH: Mr Chairman, I will try to put it as clearly as I can for the Chief Minister because it is an important point. In proposed section 138, there are 14 reasons why someone should be detained and the conditions under which he is to be detained. In applying those provisions of detention, I am putting forward a cornerstone, a basis, a philosophy on which they will be applied. That philosophy is that we as a community regard personal liberty as the most elementary and important of all human rights. Thus, when those conditions are applied - and it does not mean that you let someone go unnecessarily - the thing that must be remembered is that each one of us has that basic, elementary right. If that is put into the legislation, you have a set of conditions under which a person may be apprehended but there is no background against which those conditions can be applied. It is true that this amendment does not affect the application of any of those conditions of arrest or detention. However, it does establish that the most important thing to remember in terms of their application is that there is a basic and elementary right to individual liberty.

Mr Chairman, you will recall that we passed the Education Bill some years ago. It was a very large piece of legislation and we outlined at the beginning the basic philosophy on which the legislation was established. Whenever sections of that act are applied, the people applying it should refer continually to the philosophy at the front.

The conditions under which somebody may be detained are fairly wide-ranging. Probably there will be hundreds of interpretations as policemen and others apply them. They must remember that there is a basic principle under which those powers are granted and that basic principle is that we have an elementary right to our freedom. I am not asking the government to change any of those conditions at all. However, when they are applied, the underlying philosophy of a basic right to freedom must be kept in mind always.

Mr MANZIE: Mr Chairman, I have looked very carefully at the amendment and I really cannot make head or tail of it. To use one of the member for Barkly's favourite sayings, it is a bit like motherhood and apple pie. It feels good, it looks good but it has no substance.

Mr TUXWORTH: Mr Chairman, there may be an element of truth in what the honourable member says. It looks good and it feels good but it is more important than that. It is a basic philosophy. It is not unreasonable that we should say whether we believe in it. If we do not believe in it, let us say so and let the guys who apply the 14 or 15 conditions of arrest and detention know that the parliament is not particularly interested in that basic philosophy of individual liberty. If that is the case, say so and we will all know where we are going.

However, I do not think that that is the case. I think every member is concerned to give the police as much latitude as possible to perform their duty. We have all agreed on that. But, in applying those entitlements to detain, there needs to be that cornerstone philosophy. If members do not believe that, that is okay. I believe in it. When those conditions of detention are used, I hope that the officers using them bear in mind that basic philosophy. The only way they will bear it in mind is if we carve it in stone so that they have it in front of them to refer to from time to time. It does not detract from or add to the way the 14 conditions of detention will be implemented. It is important that we state our case fairly. I believe that all members would feel that way about the elementary right to liberty.

Mr HATTON: Mr Chairman, I would like to make it very clear that I do not think there is anybody in this Chamber who would oppose the fundamental principle that the honourable member is stating. There is no doubt that what the member for Barkly is saying is an important principle that underlies the attitudes and approach of our courts. That does not, however, take away from the impact of this amendment which would have to be read in the context of the particular section. It goes much further than saying that we believe in life, liberty and the pursuit of justice. It says it is the most elementary and important of all human rights. If one has to read the rest of the section in that context, it raises confusion in the law. In fact, it could potentially be interpreted as overriding the duty to hold the offender in custody. That is not to say that the principle is not supported by everybody in this room. I am saying that, when it comes to court and the lawyers work on it, they will take the words as they exist, not our intention. I think it is dangerous in that context.

Mr TUXWORTH: Mr Chairman, I would like the honourable minister to explain to me how there could be confusion. It is pretty clear, and there is not a lot of room for latitude:

> In determining what is a reasonable time for the purposes of section 137(2), the justice or court before whom or which the question is brought shall accept as a law of the Territory that the right to personal liberty is the most elementary and important of all human rights and shall have regard to that fact.

That is pretty simple and straightforward. There is not a lot of room for confusion in applying the conditions of detention when you relate them back to that particular section. One of the great concerns in the community about the legislation is that there is so much unstated that ought to be stated. Here is an opportunity for us to put into context exactly what we are doing with this legislation. People may find a great deal of satisfaction in having that preamble inserted. The Chief Minister has nothing to lose and a great deal to gain in terms of making people feel more comfortable with the proposed changes. It would not cost him anything to accept that but it would help allay the concerns that many people have because it would clarify the basis of our rules of detention.

Mr COLLINS: Mr Chairman, I have read the amendment and it sounds pretty good. However, the question I ask is: 'Whose freedom?' We have been arguing all afternoon about a balance between the freedom of the person who has been taken into custody and the freedom of victims or would-be victims of the person if he were allowed to go free. It rather smells of a bill of rights. The nations that have bills of rights, which they wave before the world, tend to be the most repressive of all. I cannot support the amendment.

Mr HATTON: Mr Chairman, it is easy for people to say that this is simple and clear and everyone will understand what we mean. I remind honourable members that there is a simple clause in the Australian Constitution, section 92, which says 'trade and commerce between the states shall be absolutely free'. That has led to 88 years of litigation and I am sure the High Court still has not completely determined exactly what those simple words mean. That is the problem with putting so-called simple, inoffensive words into legislation without really thinking through the implications.

The committee divided:

Ayes 5	Noes 16
Mr Bell	Mr Collins
Mr Lanhupuy	Mr Coulter
Mr Leo	Mr Dale
Mr Smith	Mr Finch
Mr Tuxworth	Mr Firmin
	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Dondas

Amendment negatived.

Mr TUXWORTH: Mr Chairman, I move amendment 27.2.

This is a consequential amendment and I commend it to the committee.

Amendment negatived.

Mr TUXWORTH: Mr Chairman, I move amendment 27.3.

Mr Bell: We will go to the wall on this one, no worries. You can lead the charge, comrade.

Mr TUXWORTH: Mr Chairman, I am a bit out of my comfort zone here. I have had Curly Nixon calling me brother and the member for MacDonnell calling me comrade.

Amendment 27.3 is to insert in proposed section 138 after paragraph (n) the following: '(na) the time the person in custody has been in the company of police prior to and after the commencement of custody;'.

Mr Chairman, this is taken from the Victorian recommendations and, as the Chief Minister would be the first to acknowledge, the powers that the Northern Territory government wishes to give to its police have been taken from the same report. The amendment contains one of the checks and balances which that report set out as a means of balancing the powers given to the police. It is not an unreasonable proposition and many lawyers and others certainly believe that it is worthy of consideration.

A person who goes voluntarily with the police may be in the presence of police for some time while evidence is collected or crime scenes are investigated or may subsequently be arrested for an offence. It is not unreasonable that the period of time that the person may have been in custody before being arrested should be considered when the court is deliberating whether the person has been brought before it in a reasonable time. One could argue that it is a lot of waffle and that there is no need to bother about it, but I will give a practical example of how it could apply to the Territory.

Imagine that a police officer from Borroloola asks somebody out bush to accompany him back to town. That may involve considerable travelling time as well as the time in Borroloola assisting police with their inquiries. That time could range from a day or two to much longer, given the weather conditions which sometimes apply. Charges could ultimately be laid or the person might be discharged and allowed to return home. It is not unreasonable that that time be considered by the court as part of the time that the person has been in police custody and as part of the 'reasonable time' before bringing the person before a magistrate.

Mr HATTON: Section 138(e) refers to 'the need to transport the person from the place of detention to a place where appropriate facilities were available to conduct an interview or other investigation'. The issue is whether that person was in detention or in custody from the time he left the point at which he was apprehended. In the final outcome, that will be a matter for the courts to determine. We need to remember that this law provides the courts with discretion to determine whether a person was in custody and to make its assessment of a reasonable time.

Let me give an example. A person in Darwin might be assisting the police with their inquiries. He may be spending some time with them each day over a period of several weeks but, within that time, attending work and returning

home each evening. He is not being detained and is not in custody. I am aware of an instance where a person ultimately convicted of murder was assisting police in their inquiries for 3 days. He even helped them to locate the body. After 3 days, the police started to twig that this person was the murderer. They then took him into custody and questioned him and he was eventually convicted. If amendment 27.3 were adopted, the 3 days during which such a person assisted police with inquires without being detained would have to be regarded as part of the total period to be assessed by the court as reasonable or otherwise because he had spent it in the company of the police.

Mr Chairman, where a person voluntarily attends at the police station to assist police with their inquiries, there may be a time when he asks to leave and is told that he cannot. Technically, whether any party present was aware of it or not, that would mean he was under detention. The courts will have the final say in resolving such matters. They may well determine that the period of detention begins at the time when the person is first taken to the police station on the grounds that the person may then believe that he has no choice but to accompany the police. That kind of issue has been resolved successfully by the courts on the basis of information put before them. It often arises in relation to the validity of evidence.

The phrase 'in company with' presents problems. The person could be in company with police for days without there being any suggestion that he is under compulsion or in custody. Such a period is irrelevant in considering the issue of the period of detention or the period of custody.

Mr BELL: I want to say a few things about that. What the Chief Minister has just said does not make a great deal of sense. I raised this point earlier in the debate pertaining to clause 5. This amendment is very similar to a provision in the Victorian bill that I tabled this afternoon. I think it is quite appropriate that that criterion be included in legislation for the court to take into consideration. The court has to assess the voluntary nature of confessions and statements and, quite obviously, a person in the company of an investigating officer for a considerable time may feel that he is under some pressure and that is for the court to determine. I appreciate that, as was elucidated earlier, the discretion of the justice or the court is not limited because of the wording at the commencement of section 138.

It is clear to me that the member for Barkly's amendment is eminently worthy of support. The Chief Minister argued that the court would determine what constitutes being in the company of police but that is in nowise an argument for excluding this criterion. I believe that the government has no option but to accept this amendment.

Mr Hatton: What is the argument for putting it in?

Mr TUXWORTH: I will answer that. The point of putting it in is that it will give the court the power to consider that additional time if it so wishes. The court may wish to consider the time before and after the official period of custody but, as proposed section 138 stands, it will not be able to do that. The amendment will simply give the court the prerogative of considering that time if it so wishes. It would not water down anything; it would simply give the court an option which it would not otherwise have.

Mr HATTON: Mr Chairman, I find the member for Barkly's arguments most convincing and the government will support this amendment.

Mr Bell: Well done, comrade.

Mr CHAIRMAN: Order!

Amendment agreed to.

Mr TUXWORTH: Mr Chairman, I move amendment 27.4.

This amendment is to insert, after proposed section 138, provisions concerning the rights of persons in relation to questioning. I will go through them carefully. I do not believe they are offensive, I do not believe they will cause a problem for the police and I believe they will establish clearly the rights of any person at all who happens to be apprehended by the police. Proposed new section 139(1) reads:

(1) Any member of the police force proposing to question a person whom the member reasonably believes to have committed an offence must inform that person that -

(a) he or she may communicate with or attempt to communicate with a friend or relative to inform that person of his or her whereabouts;

Mr Chairman, with the indulgence of yourself and the Chief Minister, I would like to develop each provision of this amendment as I go because I would like to apply this to any parent of a teenage child who happens to be taken down town because that young person is naughty. I say 'child' meaning a person of 17, 18, 19 or 20 years of age or whatever. Most parents would want to know where their child was even if there were good justification for his or her being held for questioning or under arrest. It is something that is very important to parents and I think it is eminently reasonable. You might apply it to a husband or wife. It is eminently reasonable that the person should have the right to communicate with a friend or relative. I do not see how it would inconvenience the police to enable the person to telephone.

My proposed new section 139(1)(b) reads: 'he or she may communicate with or attempt to communicate with a legal representative of his or her choice;'. As I recall the discussion this afternoon, the Chief Minister said that that entitlement was to be written into the Police General Orders and that persons would be entitled to make a telephone call of that kind. Earlier, we discussed the availability of the Police General Orders and it is generally acknowledged that it is a pretty secure document. Given that we are prepared to give that entitlement to somebody who is arrested - and maybe they should be arrested - it is not unreasonable that we write into the legislation itself the right for that person to make a phone call to his lawyer.

My proposed new section 139(1)(c) says: 'he or she is not obliged to say anything, but anything that he or she does say may be given in evidence'. Mr Chairman, much has been said of the right of people to remain silent. It is a right, and it is not unreasonable that we put it into the legislation so that it is beyond question.

My proposed new section 139(2) reads:

(2) Where any person taken into custody in connection with the investigation of an alleged offence -

(a) expresses a desire to communicate with a relative, friend or legal adviser, the member in whose custody or company the person then is, or the member conducting or proposing

to conduct an interview with such person, shall afford reasonable facilities as soon as practicable to enable the person to do so, unless the member believes on reasonable grounds -

(i) that the communication would result in the escape of an accomplice or the fabrication or destruction of evidence; or

(ii) that the interview of the person is a matter of such urgency, having regard to the safety of other people, that no delay should occur before the interview takes place;

Mr Chairman, this is one of those propositions that has been advanced by the legal profession and would have been argued pretty soundly in the committee which considered these issues. The committee believes, and I cannot see the unreasonableness of the proposition, that the inclusion of these provisions is desirable.

Proposed section 139(2)(b) reads:

(b) indicates that he or she does not wish to be interviewed before consultation with a legal adviser or friend, the member conducting the interview shall defer it for such time as is reasonable in the circumstances, to enable the person to obtain advice, unless the member believes, on reasonable grounds, that the conditions set out in subparagraphs (i) and (ii) of paragraph (a) apply;

All that is saying is that the police or the interviewing officer would have the right to defer the interview, for a period of time for the convenience of the person detained, provided it would not allow anybody to destroy evidence, do a bunk or whatever. It is hard for me to argue the unreasonableness of a proposition like that. It seems to be more of a common courtesy than anything else and I do not think that it would go astray.

Paragraph (c) of proposed section 139(2) reads:

(c) is a foreign national, the member in whose custody he or she then is or who is conducting or proposing to conduct any interview with the person, shall, in addition, afford such person every reasonable facility to communicate immediately with the consular office of his or her country.

Mr Chairman, I have a great deal of sympathy with this proposition, mainly because many people in my electorate have come from overseas and I do considerable immigration work for them. Because of the language barrier, a lack of understanding of the system and the problems that people have, there is an enormous contact between foreign nationals and their respective embassies in Australia. It is quite extraordinary. Most of us have travelled overseas and, no doubt, we could well imagine how we would feel if we were detained for some reason that we could not understand because we were unable to understand the language. The first thing that we would want to do would be to contact our embassy. I have a great deal of sympathy with this proposition because I know how I would feel if I were overseas and it happened to me.

I do not think allowing somebody to make that sort of contact is unreasonable. It would not be expensive and it may be of great help to the person if he has a communication problem. I submit to the government that these provisions are worthy of consideration. They are not unreasonable and they would do much to enhance the legislation that we have before us tonight.

(3) Where a person is in custody or at a police station in connection with the investigation of an alleged offence, the member in whose custody or company he or she then is or the member conducting or proposing to conduct an interview with such person shall allow the person's solicitor or the solicitor's clerk to communicate with such person and shall, as far as practicable, afford such facilities as will ensure that such communications will not be overheard by anyone.

Mr Chairman, I have been advised - and I am not particularly au fait with the processes of the law in relation to this - that there are times when people are locked up and it is necessary for the solicitor or the solicitor's clerk to attend for the purposes of interview. It has been put to me that one of the important things about that interview is that the person who has been locked up for some alleged offence ought to be able to have a confidential discussion with his solicitor without being overheard. I do not find anything unreasonable about that either. I guess that would be a normal expectation, but it is something that should not be left to chance. We ought to be making it quite clear that that is the intention of the legislation and provide for it in this way. I commend that consideration ...

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

Mr TUXWORTH: May I seek an extension, Mr Chairman?

Mr CHAIRMAN: There is no extension in the committee stage.

Mr DALE: Mr Chairman, I would like to speak to this amendment and give some reasons as to why we will not be supporting it. Our opposition is based on some comments I made earlier. Most of what is contained in proposed new section 139 is in the Police General Orders.

Mr Leo: Why not put in the law?

Mr DALE: For the very good reason that I mentioned earlier today. Subsection (1) says: 'Any member of the police force proposing to question a person whom the member reasonably believes to have committed an offence must inform the person that ...'. First of all, there is a problem with when the police officer must do that. The timing of that is in some doubt. Secondly, once a time is expressed and the police officer does not inform the person at that specific time, the defence lawyer will argue in court that, because it was not done at the specific time, the rest of the evidence is inadmissible. Also, the precise words used in the legislation would have to be used. It would provide a classic, technical loophole by which a guilty person could get off the hook. That is unacceptable to the police and certainly unacceptable to this side of the Assembly.

Mr Chairman, there is provision in the Police General Orders which enables people to communicate with a friend or relative. I believe it was tabled earlier tonight.

Mr Hatton: Further amendments.

Mr DALE: The police are required to allow that to happen under their general orders. In fact, on occasions, solicitors have taken the general orders into court and asked a particular police officer whether he complied with the requirements of those general orders. That demonstrates what a wonderful weapon you would be arming the defence lawyers with if you were to put that requirement into legislation. The police would only need to slip up on the timing of when they must inform the offender or the suspect. It says 'must'. All of the evidence taken after that would be at risk.

Mr Collins: It says they must inform? Is that difficult?

Mr DALE: Yes, it is - for the reason we have given.

Of course the provisions of paragraphs (a) and (b), communication with or the attempt to communicate with a friend, are provided for under the Police General Orders. 'He or she may communicate with ...

Mr Bell: That is law.

Mr DALE: That is also there. He or she 'is not obliged to say anything ...' - that is the usual warning that is provided for in the Judges' Rules and the Police General Orders. There is also the caution to be given earlier in the questioning of any suspect. Of course, several other cautions are issued. For example, when the suspect is involved in line-ups or is taken on a journey to explain various aspects of offences that occurred, a caution is given.

Proposed subsection (2) refers to a person taken into custody expressing 'a desire to communicate'. My only concern with this is the timing. Can the person in police custody ask for that once, twice, time and time again or at any specific time whilst he is in custody? Does it apply before he is questioned, mid-way through questioning or when? Subparagraphs (i) and (ii) contain the caveat. Paragraph (b) is already covered in the bill, and paragraph (c) is, of course, what the Anunga Rules are all about. Those are well and truly in place. They apply not only to Aboriginal people but also to ethnic persons and persons of feeble mind etc.

Mr Bell: Paragraph (2)(c)?

Mr DALE: Yes.

Mr Bell: Communicating with a consular office?

Mr DALE: Yes, if that is required. They must be given all of those courtesies.

Subsection (3) is covered in the Police General Orders.

The main reason why we will not support the proposed provisions is the fact that they would be enshrined in legislation. It would put an obligation on the police that is absolutely unreasonable and would do nothing more than arm a defence lawyer with an unreasonable technicality which he could use to get a real offender off the hook.

Mr SMITH: Mr Chairman, the Chief Minister has identified the key issue, as did the honourable minister who has just spoken: it is a question of

whether these sorts of rights and protections are contained in the common law or whether they are set down in statute law. I have no hesitation in going over the arguments once again. I find it incomprehensible that you can set down the police powers in the statute but you are not prepared to set down in the statute the rights of people detained even though you are happy to leave them in the common law. That seems to be inconsistent. If you were serious about checks and balances, you would offer equal protection to both sides of the argument.

Let me take up the specific point made by the Minister for Health and Community Services who seems to think that it will be an incredible problem for our highly competent police force to remember to inform people that they have a right to communicate with a friend. Each time you travel in an aircraft, you rely on the captain to do his pre-takeoff checks. There is no difference in an aircraft captain doing his pre-takeoff checks and a member of the police force doing his pre-interview checks. I cannot believe that it is any more difficult for a policeman to do his pre-interview checks than it is for an aircraft captain to do his pre-takeoff checks.

There is also a whole body of law that provides for the case where, in reasonable circumstances, a particular element which should be followed has not been followed. It can be excused and the evidence that is presented not thrown out on the basis of that technicality. There is a whole body of court decisions which clearly establishes precedents for that type of circumstance.

The key point is that the government is not serious about protecting the rights of people who are held in detention. It is paying lip-service only to those rights because, if it were serious about protecting the rights of people in detention, it would offer them the same protections that it is offering to the police. In this, the government's failure to put in place those checks and balances is clearly revealed. What the member for Barkly has proposed is completely supportable. The only reason that the opposition did not put forward something similar is that we took a position that we would not amend the bill because the bill needed more time. Having said that, we will quite happily support the amendments moved by the member for Barkly. In the event that they are agreed to, we will then vote against the bill as it is amended.

Mr Chairman, I do not want to take up any more time. I simply restate the principle that, if one is serious about checks and balances, one needs to insert in the legislation protections for people in detention that are equivalent to those provided to the police.

Mr HATTON: Mr Chairman, again, the Leader of the Opposition is not saying that the people who are detained or under questioning do not have these rights. He is saying that we should take them out of the common law and put them into statute law. He is not arguing that there are no checks and balances in place via the common law. He is saying that we should move those checks and balances out of the common law and put them into the statute law.

Having said that, he referred to a body of law that enabled the courts to determine in respect of technicalities. I refer him to a point that was made by the member for MacDonnell. Statute law overrides all those court decisions which comprise the common law. If this became statute law, it would become the imperative, irrespective of previous court decisions. That is the fundamental difference between statute and common law. It is just not good enough to say that we need not worry whether the policeman got the timing absolutely correct when he gave the warning. If those procedures are imperatives in statute law and they are not followed, the defence will be able

to argue quite properly that the law has not been followed by the police in respect of those statutory imperatives.

Mr Chairman, the common law rights of the person in detention or under questioning continue to exist. I do not know how many times we need to go through the multiplicity of statute and common law checks and balances that are in existence and will continue in existence. In conclusion, I refer honourable members again to amendments to the Police General Orders in respect of advising persons in custody of their rights to contact friends or relatives etc. I refer honourable members to the papers that have been tabled in respect of the review committee that will be established.

Mr BELL: Mr Chairman, as I have said, the review committee is a bit like using a condom after the fact. The inability of the Chief Minister to understand why the opposition feels so strongly about the failure of the government to provide appropriate checks and balances has been the subject of debate for the best part of 10 hours. Let's not hear him whinge about the strength of the arguments that the opposition is putting up in the committee stage of this bill.

To expose the fallacy of the comments the Chief Minister made about the relationship between the common law and the statute law, he seemed to be saying that statute law absolutely and irrevocably replaces the common law. Where the common law and the statute law are in conflict, that is certainly the case. In this particular case, we are seeking to incorporate into statute law a statement of the common law. I refer particularly to proposed section 141 which is basically a statement of the common law right to silence.

While talking about the right to silence, Mr Chairman, I will make this little comment in passing. The Chief Minister seemed to be indicating today that he had never suggested that there was any intention on his part to undermine these fundamental rights. I draw the attention of honourable members to the Chief Minister's second-reading speech and his reference in rather disparaging terms, I might say, to this common law right to silence, the right of an accused not to incriminate himself.

I refer honourable members to page 5 of the second-reading speech circulated by the Chief Minister last week. We have not heard much about the package of reforms in relation to police powers that the Northern Territory Police Force is putting together. I quote from the speech:

> While the package addresses some of the reforms evidenced in this bill, and indeed matters such as the use of tape-recorders, there were other issues such as the implementation of compulsory identification parades, presence of legal representatives and next friends - which is already to some extent provided for in section 12(2) of the Bail Act - and the extraordinarily difficult issue of the so-called right of silence'.

What an extraordinarily equivocal phrase, Mr Chairman: '... the extraordinarily difficult issue of the so-called right of silence'. It is a fundamental common law right which the Chief Minister refers to in the context of this bill as the 'so-called right of silence' - and he wonders why we support amendments proposed by the member for Barkly!

The Leader of the Opposition has explained our position in this regard. We decided to pursue a tougher line on this bill and to move a reasoned amendment during the second reading. We have done that, but that does not

prevent us from supporting this amendment in committee. I commend it to honourable members.

To return to the question of proposed section 141, it is quite appropriate in all sorts of legislation that common law rights be enshrined in statutes and this is one of those examples. The common law is not in any way affected unless it happens to be in conflict with statute law. I suggest that these amendments are highly worthy of support and I am disappointed that the Chief Minister will not accede to them.

Mr MANZIE: Mr Chairman, I rise to try to add a little intelligence to the debate.

Mr Bell: It will be the first time today.

Mr MANZIE: In his long, drawn-out monologue, the member for MacDonnell has not once addressed the amendments before the Chair. Proposed section 139 refers to communication with a friend or relative. As I said earlier today, the Juvenile Justice Act - which I have tabled - requires ...

Mr Bell: What happens to people after they turn 17?

Mr MANZIE: The member for MacDonnell does not want to know these things but, because of the position he holds in this House and the job that he purports to do, he really owes it to himself and the community to try to educate himself a bit. I would have expected him to research the details of the bill before coming into this House to debate important issues, instead of coming out with absolute nonsense. His contribution today is an indictment of him and it will make interesting reading for historians. They will have great fun cackling at the ignorance he has displayed in the House today.

Mr Chairman, as I said, legislation makes it compulsory that juveniles have a friend or relative present. The Anunga Rules clearly provide for it and tonight the Chief Minister has tabled a letter which quite clearly shows that the Police General Orders will be amended to allow for the police to advise people of their right to have such people present. I have also shown that there is a requirement, if people request the presence of a friend or relative, that such a request be acceded to. There is no need for these amendments because the safeguards are already there and, as the Minister for Health and Community Services pointed out, the more trips and problems we insert, the greater the chance of creating the technicality that will allow offenders to escape their legal deserts. We have checks and balances in the law today.

Proposed section 139(1)(c) states that the police must inform a person that 'he or she is not obliged to say anything, but anything that he or she does say may be given in evidence'. That is already covered by the Judges' Rules which I tabled earlier. Under those rules, it is quite plain that, if that provision is not complied with, the evidence is totally unacceptable. Anyone with the slightest knowledge would know that, even someone who has done legal studies at high school. The Leader of the Opposition, however, had problems with it today. I hope someone has briefed him since then. Let me be adamant: if the Judges' Rules are not complied with, the evidence is totally inadmissible.

Proposed section 139(1)(b) would require police to inform a person that 'he or she may communicate with or attempt to communicate with a legal representative of his or her choice'. The bill before the House actually

addresses that. Proposed section 138(h) refers to 'the time taken to communicate with a legal adviser, friend or relative of the detained person' and proposed section 138(j) refers to 'the time taken by a legal adviser, friend or relative of the person or an interpreter to arrive at the place where the questioning or the investigation took place'. The situation is covered by the bill and there is no need for the amendment.

Mr Chairman, the member for Barkly correctly pointed out that some foreign nationals have problems with understanding proceedings in English. The Anunga Rules make it quite clear that, if police take a foreign national into custody and that person cannot speak English as well as an English-speaking person, an interpreter or friend must be present during questioning. If such a person is apprehended under section 38(2) of the federal Migration Act, it is quite clear that he can be kept in custody for 48 hours if it is not practicable to bring him before a court within that period, or as soon as practicable afterwards. I believe there was an incident in which some Vietnamese people were kept in custody for 5 days before being brought before the court under federal legislation.

While the member for MacDonnell preaches doom and gloom, his federal cousins lord it over legislation that allows people to be kept in custody for 5 days before being brought before a court. In his holier-than-thou attitude, he consistently displays his lack of knowledge and understanding of what is presently on the statute books, both Territory and Commonwealth. I implore the member for MacDonnell to take a little pride in the job he is supposed to do in this Assembly and to educate himself about what goes on in the world instead of listening to people who either do not know or have vested interests and regurgitating exactly what comes out of their mouths.

My colleagues and I have made it very plain today that there are safeguards that address all the issues which have been raised. Many of these have been furphies. There is no need to answer them because they do not relate to the bill before the House. We have to remember that this is very important to our community. Honourable members opposite seem to have forgotten that we are not talking about fun and games; we are talking about the protection of people in our community. As we have pointed out, there are already rules which restrict the police in every step of their investigative process right through to the end of the court process. If the police break or deviate from those rules, the evidence they have collected may not be admitted or they may be liable to a period of imprisonment for up to 2 years. We require the police to work under these rules but members opposite are trying to make more rules to obstruct police and tie them up. But what rules do the villains have to obey? The only thing we can say is that, if the villains break the rules, they do not go to prison. If the victims speak up, they are in trouble. If the villains speak up, they get off the hook.

I find the member for MacDonnell's attitude deplorable. He has not once addressed the provisions of this bill. His second-reading speech was totally devoid of comment on any of the provisions of the bill. He purports to present a point of view but he knows nothing about what he says. All he is intent on doing is making it harder and harder for the people who are charged with the safety of our community. He cares not a single butt for the victims of the offenders in this community.

Mr BELL: A point of order, Mr Chairman! I believe that the phrase 'a single butt' was ruled unparliamentary earlier in the sittings.

Mr CHAIRMAN: There was no ruling on the term and there is no point of order.

Mr TUXWORTH: Mr Chairman, I have listened to the minister's arguments in relation to the propositions that I put forward. The Minister for Health and Community Services indicated that the provisions in the Police General Orders were satisfactory and the member for MacDonnell stated that they were not law. The Treasurer piped up and said that they are law. We ought to be clear that police orders are not law. They are requirements for the police to follow but they are not law. Any actions which the police are required to take under general orders are not an entitlement of persons in terms of their rights to make a phone call or contact a lawyer. My point is very simple and I will make it again. There would not be one Territorian I have come across who does not believe that he has a right to make a phone call if apprehended and taken to a police station. Everybody thinks that he has a right to make a phone call.

Mr Manzie: People do have that right.

Mr TUXWORTH: They do not have a legal right. They have an opportunity to make a phone call if a policeman allows them to do so. Whatever we may think and whatever Police General Orders say, people expect to have the right to make a phone call. The Minister for Health and Community Services said that it was terrible for a police officer to have to work from a check list. He would know better than anybody else that, when a policeman takes a person into custody, he has to tell the person that he has certain rights. I understand, for example, that a police officer is required to tell the person that he has the right to remain silent.

Mr Dale: That applies under the Police General Orders when a person is taken in initially and under the Judges' Rules when a person is arrested.

Mr TUXWORTH: Right. If the police do not comply with the Judges' Rules ...

Mr Dale: If the magistrate believes that the police action has been unreasonable, he does not allow the evidence in court. But those rules are not statute.

Mr TUXWORTH: Mr Chairman, my point is that people believe they have a right to make a phone call. They want that right. They do not want it to be something contained in Police General Orders; they want it in the statute.

Mr Dale: Do they know that they have a right to remain silent?

Mr TUXWORTH: I would say, Mr Chairman, that most people would not have given that a lot of thought, but they certainly know they want to make a phone call.

Mr Chairman, I will not go over all the other issues that have been discussed. They have been aired pretty carefully and it is obvious that they will not gain support. However, I would raise the issue again of the foreign national. Members opposite indicated that such people would be covered by the Anunga Rules in the same way that Aboriginals and other people who may have a communication problem would be. There may be a circumstance, and it happens in my own electorate, where people do not have a friend and they do not have anybody to contact. The only contact they have is with their embassy or their consul.

Mr Dale: No problem.

Mr TUXWORTH: Mr Chairman, the minister says that that is not a problem. The problem is that the Anunga Rules do not cater for that. The Attorney-General went to some trouble to explain how the Anunga Rules work. A foreign national, who does not have anybody to contact, has only one place to communicate with: the embassy. He ought to be entitled to make a phone call.

Mr Chairman, I would like to turn to my proposed section 140. This says:

(1) Evidence of a confession or admission contained in a statement made to a member of the police force by a person who was at the time suspected, or ought reasonably to have been suspected, of having committed an indictable offence, shall not be admissible in evidence as part of the prosecution case upon an indictable offence unless the statement was recorded by means of a sound recording apparatus, or the substance of the statement was later confirmed by the suspect and this confirmation was recorded by means of a sound recording apparatus and the recording is available to be tendered in evidence.

The section goes on to outline the terms and conditions under which tape-recorders ought to be used. I am not advocating that police ought to use tape-recorders as a method of collecting evidence or recording evidence and tendering it before court. However, I repeat that I believe it is time that, as a total legal system with the police, the courts and the legal fraternity, we adopted a formal attitude towards the use of high technology, in particular the use of videos and the possible use of the satellite. It is extraordinary that tape-recorders have been around for nearly 20 years and we are still wondering how and whether we ought to use them. Perhaps it has taken 20 years for us to realise that they are a viable option. The Federal Police and the Victoria Police use them, not under statute but they do use them as a normal tool of their trade.

All I am saying is that we ought to move into the 21st century with this technology and decide whether we want to adopt it, how we are going to use it and how it will be applied under our legal system. I would ask the Chief Minister if he is prepared to set up a committee that would review the use of tape-recorders, videos and other technology in terms of recording evidence and using it in courts for the benefit of the police and anybody else who can gain from it.

Mr Hatton: I have already announced that we will do that.

Mr TUXWORTH: Could I ask the Chief Minister for an undertaking as to when that will happen?

Mr Hatton: As soon as we can get it under way.

Mr TUXWORTH: I would be happy to hear from the Chief Minister a specific statement on how that might happen because it needs to be a very determined program. I say that because we have already the example of how we intend to change the Electoral Act. That has been the intention for years now and still nothing has happened with it. I do not mind if the police, the lawyers and the judges decide that none of this is possible but, at least, let us address it and decide whether it does have any application.

Mr HATTON: Mr Chairman, I am pleased that it has been recognised that we intend to run trials in respect of tape-recording for the purposes of interviews etc. I am keen to have that commenced as soon as possible. I will be asking the police department to contact the relevant legal people. The committee of review may be an appropriate mechanism to consult in respect of the development of the trials. The use of video-recorders, which are used extensively in relation to major crimes, could also be examined. There is considerable work to be done on this and I know the police are keen to get started on these trials.

Mr Chairman, it has been said that Police General Orders have no statutory basis but are similar to personnel practices in a company. Police General Orders do have a statutory recognition under section 75 of the Police Administration Act and, as a result, they do have legal effect and consequences that must be taken into account.

Mr COLLINS: Mr Chairman, on the surface, these proposals seem fair and reasonable. The problem with putting this in the statute rather than leaving it in Police General Orders is that, if a loophole is provided, the lawyers will argue about it for days. The loophole in proposed section 139 is the word 'must' used in the expression 'must inform that person'. If a police officer happens to forget that in the heat of the moment - and I imagine some situations are fraught with emotion even for emotionless police personnel - the lawyers will have a loophole to argue over for a long time. The bottom line is whether a person who otherwise would have been found guilty should be allowed to escape by means of a technicality. I believe that my constituents would agree with me that that should not happen. If it is in the Police General Orders and there is an occasional lapse, that would not result in the case being thrown out on the basis of a technicality. As much as I appreciate its basic intention, I could not support that proposal.

In respect of making it obligatory for the police to inform a person of his rights, I am told that Police General Orders require that the police officer must do that. That has been in operation for some 80 years and it has not caused great problems. We have not had lawyers jumping up and down about it. If a person in custody asks to make a phone call home, the police officer would be hard put to deny that request. He would need to have very good reasons and be prepared to put them in writing for the court if he denied the request. Otherwise, the court would take a very dim view of the matter. I think the desire of the member for Barkly is catered for already in that regard.

I am convinced that the foreign national is protected by the Anunga Rules but I cannot see any good reason why he should not be able to contact his embassy unless he happens to be a member of the embassy staff and has immunity. Sometimes, some of these people with immunity get away with things that they jolly well should not.

I have been informed by someone who has had experience of tape-recording in Victoria that tape-recorders are used extensively and they save a great deal of time. Many policeman are 2-finger keyboarders and it takes considerable time for them to type. If they can record the information on tape and have a good key operator transcribe the tape, that can save a great deal of time. Of course, I appreciate that that still is a written statement and the person making the confession should be asked to sign it. The suggestion here possibly goes beyond that to the use of sound recordings and videos as evidence in the courts. I am pleased to hear that this will be investigated to determine how it can be made watertight - or should we call it

'lawyer-tight' - so it cannot be used as a means to get people off. I think that will take considerable effort. I am pleased to hear that it will happen and I will welcome the results.

Mr DALE: Mr Chairman, I want to make one other fundamental point about proposed new section 140. Once again, unrealistic requirements are suggested. I support the concept of examining the feasibility of using tape-recorders and requiring that they be used in certain circumstances at some later stage. Of course, they are being used now, where appropriate.

I am more concerned about proposed subsection (1) which refers to 'evidence of the confession or admission contained in a statement made to a member of the police force by a person who was at the time suspected ...'. It goes on to say that that shall not be admissible as evidence unless the substance of the statement - the 'substance' not the confession or the statement in its entirety - was later confirmed by the suspect and the confirmation recorded on a sound recording apparatus. That is certainly a change from what is at present acceptable by way of the submission of evidence to a court.

I do not see that this is feasible in any way nor do I expect that it would be acceptable to a court when hearing evidence. A confession or a statement can be written down on some very strange things. In my day, I have seen them written in a policeman's notebook, on toilet paper, on the back of an envelope etc. If the appropriate cautions and requirements of the general orders had been carried out, then that confession or statement could be recorded in writing. Usually, a signature is obtained from the suspect and that must be submitted to the court as being the evidence taken at the time. A policeman's notes taken of the events surrounding the lead up to that confession, indicating that the caution etc was administered, would also be required to be presented to the court. I do not see how the 'substance' of the statement, which would be a lesser document or recording, would be in any way acceptable to the court. Certainly, it would be an unrealistic requirement to place on members of the police force.

Mr TUXWORTH: Mr Chairman, I accept that the propositions outlined in proposed section 140 relating to evidence contained in confessions or admissions and the tape-recording of them is something that might be quite impractical in terms of taking the recording or presenting it to court, but what I put forward there is a starting point for people to have a discussion. If it has done nothing more than achieve that, then I have done what I set out to do.

The committee divided:

Ayes 5	Noes 15
Mr Bell	Mr Collins
Mr Lanhupuy	Mr Coulter
Mr Leo	Mr Dale
Mr Smith	Mr Dondas
Mr Tuxworth	Mr Finch
	Mr Firmin
	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich

Mr Palmer
Mr Perron
Mr Poole
Mr Setter

Amendment negatived.

Clause 7, as amended, agreed to.

Clause 8 agreed to

New clause 9:

Mr TUXWORTH: Mr Chairman, I move amendment 27.5.

Mr Chairman, I will be quite brief. This is a sunset clause to try to ensure that there is a review of the legislation at some point in the future. The amendment proposes that 'Sections 3 to 8 of the act shall expire with the last day of a period of 12 months commencing with the day this act comes into operation'.

In one sense, the Chief Minister has covered the issue in that there will be a committee of review that meets and reports every 6 months on the implementation of the legislation, and I guess that is a reasonable way of going about it. However, I come back to the original premise that we started with today and that is that the bill is not properly thought out and more time should be given for discussion and consultation. One way of ensuring that it receives that is by causing it to lapse completely within a period of time. Whether that period covers 1 year or 2 is another matter. However, if it lapses within a set period of time, it will have to be addressed and not simply treated cursorily in interim reports.

Mr Chairman, I urge the committee to give consideration to the possibility of inserting a sunset clause and letting the new act lapse in 12 months time. In that time, the working party should be reconvened to examine the whole proposition and also the progress of the legislation that we are passing tonight.

New clause 9 negatived.

Title agreed to.

Bail Amendment Bill (Serial 34):

Bill, by leave, taken as a whole and agreed to.

Criminal Code Amendment Bill (Serial 35):

Bill, by leave, taken as a whole.

Mr BELL: Mr Chairman, unless I am seriously mistaken this is the absolutely outrageous Criminal Code amendment. As I remarked in my second-reading speech, I register the opposition's great concern about this bill. I think this bill basically says it all. After all, we cannot have members of the police force being slotted for 2 years for offending what, until Black Thursday, was a fundamental common law right. Quite obviously, this bill is necessary in order to keep members of the police force out of jail.

I would remind honourable members that the penalty for offending section 106 of the Criminal Code is imprisonment for 2 years. Section 106 currently says that 'any person who, having arrested another, deliberately delays bringing him before a court to be dealt with according to law, is guilty of a crime and is liable to imprisonment for 2 years'. This is the one the Attorney-General said would not be affected by these bills - remember Daryl? Mr Chairman, I think that is the most impressive scowl I have seen from a member of parliament for some time. My gorge rises every time I come across some of these amendments and this is no exception. I wish to register the opposition's objection to it in the strongest possible terms. There is not a word of defence explaining the government's need to qualify what was placed in the Criminal Code 3 or 4 years ago. It has no shame.

The committee divided:

Ayes 15	Noes 4
Mr Coulter	Mr Bell
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	
Mr Harris	
Mr Hatton	
Mr McCarthy	
Mr Manzie	
Mrs Padgham-Purich	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Setter	
Mr Vale	

Bill as a whole agreed to.

Bills reported; reports adopted.

Mr HATTON (Chief Minister): Mr Speaker, I move that the bills be now read a third time.

Mr BELL (MacDonnell): Mr Speaker, I do not intend to take the 10 minutes available to me on what I regard as a particularly tragic occasion. It needs to be placed on record that I think that the legislation that is about to be passed through this Assembly will set back the cause of statehood and will set back respect for the rule of law in the Northern Territory amongst other Australian jurisdictions by a decade.

Mr PALMER: A point of order, Mr Speaker! Members of the opposition are pretty keen on third-reading speeches but such speeches must confine themselves to the contents of the bill or bills.

Mr SPEAKER: There is a point of order. The honourable member will confine his remarks to the contents of the bills.

Mr BELL: I am speaking to the point of order, Mr Speaker.

Mr SPEAKER: I am sorry. I have made my ruling.

Mr BELL: Oh, goodness me! I move dissent from the Speaker's ruling!

Mr SPEAKER: Is the motion seconded? The motion is seconded.

Mr FIRMIN: I move that the question be now put.

Motion agreed to.

Mr Bell: You bastards, you bastards. You miserable bastards.

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

Mr BELL: Of course I won't. I have no intention of withdrawing it, Mr Speaker.

Mr SPEAKER: I name the honourable member for MacDonnell.

Mr COULTER (Treasurer): Mr Speaker, I am left with no choice, of course, but to move that the member for MacDonnell be suspended from the service of the Assembly.

Motion agreed to.

Mr Smith: Well done, Col. You should be really proud of yourself.

PERSONAL EXPLANATION

Mr FIRMIN (Ludmilla): Mr Speaker, I would like to make a personal explanation on that. I moved that the motion be put in respect of the dissent motion.

Mr Smith: You should be really proud of yourself. Well done.

Mr FIRMIN: Thank you. That is the normal practice in this House.

Applause from public gallery.

Mr SPEAKER: Order! I will not tolerate any interjections or discussion from the gallery under any circumstances. If there is any further interruption, I will have that person removed from the gallery.

The question is that the motion of dissent from the ruling of the Chair be agreed to.

Motion negatived.

Mr SPEAKER: The question is that the bills be now read a third time.

The Assembly divided:

Ayes 15	Noes 4
Mr Coulter	Mr Collins
Mr Dale	Mr Lanhupuy
Mr Dondas	Mr Leo
Mr Finch	Mr Smith
Mr Firmin	
Mr Harris	

Mr Hatton
Mr McCarthy
Mr Manzie
Mrs Padgham-Purich
Mr Palmer
Mr Perron
Mr Poole
Mr Setter
Mr Vale

Motion agreed to; bills read a third time.

ADJOURNMENT

Mr COULTER (Treasurer): Mr Speaker, I move that the Assembly do now adjourn.

Mr SMITH (Opposition Leader): Mr Speaker, I have been advised that a prominent Territorian died yesterday and I rise to make a short tribute. That Territorian is Dolly Bonson. Unfortunately, because of the time that I have had available, the tribute that I would like to pay to Dolly Bonson is not as full as it normally would be, but I want to place on record the relevant information that I have been able to gather.

She was born 96 or 97 years ago near the low-level crossing in Katherine. It is particularly unfortunate because, at Easter time this year, there is to be a plaque commemorating her birth unveiled at the Katherine low-level as part of the bicentennial celebrations. Although it was not planned that she would attend, certainly her family was looking forward to the event with some great anticipation as a memorial to a great living Territorian. Unfortunately now, of course, it will be a memorial in the real sense to a great Territory woman. She, of course, was Bett-Bett of 'We of the Never Never', the famous Mrs Aeneas Gunn book and the heroine of the 'Little Black Princess'. Most of us have probably read those books and, for some of us, they were probably the first that we read about life in the Northern Territory. She featured strongly in those books.

She played a very important part in the history of the Northern Territory. She personified a Territory that no longer exists, a Territory that produced great figures who will always be remembered in the Territory's history. She married a Welshman, I think, and she has left behind her an extensive and distinguished Territory family. My notes say that there are Bonsons everywhere. I do not think that is an exaggeration because there is an enormous, extended Bonson family. I was privileged to be invited to the 50th wedding anniversary of one of her sons, Don, and his wife, Dolly and I was staggered at the number of people in Darwin alone who claimed connection with the Bonson family in one way or the other. People whom I had never suspected of having a Bonson connection were present that night.

Mr Speaker, over the past few years, she lived at Humpty Doo until quite recently when she moved into the new Salvation Army Nursing Home at Parap. She featured in the TV report of the opening of the Salvation Army Nursing Home at Parap. There are probably 5 or 6 generations of Bonsons who are direct descendants of Dolly.

I feel a little inadequate expressing my appreciation of the life of this wonderful Territorian at such short notice. On behalf of all my colleagues and on behalf of my staff, who have had a close connection with the Bonson

family over the past few years, I express my sympathy to the Bonson family. The consolation that they have in her passing is that she will always be remembered as a great Territorian.

Members: Hear, hear!

Mr McCARTHY (Victoria River): Mr Speaker, given the lateness of the hour, it is unfortunate that I am compelled to speak in the adjournment debate this morning. However, the comments of the Leader of the Opposition on Wednesday night with regard to the Work Health Authority and a publication issued by the Miscellaneous Workers Union have brought me to my feet. Before launching into this particular story, Mr Speaker, I would like to support the Leader of the Opposition's remarks concerning Dolly Bonson.

Last night, the Leader of the Opposition made great play of the fact that the Miscellaneous Workers Union had issued a publication. Listening to his comments, I could have been forgiven for thinking that what he had was a glossy and magnificent piece of work. In fact, this is the publication that he was speaking about. I am happy to say that the Work Health Authority provided the information to the Miscellaneous Workers Union for this publication but the union still got it wrong.

The Work Health Authority has been very active in terms of issuing information over the last 12 months. I have with me a range of material: information brochures, information bulletins, Work Health Authority seminars, 'How You Will Be Affected', 'Workers' Guide to Work Health', exemption certificates, 'Employers Guide to Work Health', year planners, posters that provide in a shortened form most of what is in the booklet and a range of advertisements from the newspapers that indicate what the Work Health Authority is doing in the workplace. In fact, the face-to-face discussions that the Work Health Authority has with the workers is ongoing. While this particular booklet is a worthwhile publication, it will require some cleaning up. In fact, the Work Health Authority has been doing that. What you see there basically is taken directly from work that the Work Health Authority has been doing. When we have our booklet published, in addition to these other publications, it will certainly provide much more adequate information.

Mr Speaker, I mentioned some of the things that the Work Health Authority is doing. It is also running a range of seminars on stress and occupational overuse syndrome to get the story out into the workplace. Individual meetings have been held with most unions and Trades and Labor Council meetings have been attended. Staff have met with the Master Builders Association in Darwin, Katherine, Alice Springs and Tennant Creek and have been involved in Trades and Labor Council health and safety courses. They have met with personnel officers of government instrumentalities, including the Department of Transport and Works, the Northern Territory Police Force, the Department of Health and Community Services and the Power and Water Authority. They have been involved with seminar work in relation to DIT management courses, John Holland Constructions trainee courses for construction workers, furniture removalists, the automotive and hospitality industries, Sheraton Hotels, the National Safety Council, the Ombudsman, the Darwin Radio Taxi Co-op, the Confederation of Industry, the Insurance Council of Australia, the Insurance Institute, the Society of Accountants, the Life Underwriters Association, the Darwin Turf Club, the Correctional Services Division, the Safety Institute, immigrant women's groups, the Shell Company, the Commonwealth Arbitration Inspectorate and Dial-a-Builder.

It should be noted that the Work Health Authority will be assisting the Miscellaneous Workers Union in correcting the mistakes in its publications. The authority will also be putting out its own brochure when the work is finally completed. The union obtained the information from the authority but used it before the final tidying-up was done.

While I am on my feet tonight I would like to make some comments about bans that the Electrical Trades Union has imposed today in relation to the Arbitration Commission's hearing on the 17½% loading. The Chief Minister has indicated during these sittings that there was an agreement with the unions last year that the 17½% loading issue would be taken to the Arbitration Commission and that that was where the matter should be decided. The Electrical Trades Union, however, has decided, as of today, to provide no maintenance of streetlighting on Territory government roads and no services to government projects and buildings, including schools and clinics. I believe that sort of action does a great disservice to the people of the Northern Territory. The union is kicking the sick and the young because schools and clinics will be affected by that action. The Electrical Trades Union must feel that it has something to worry about in terms of the matter before the Arbitration Commission. I must reiterate that many of the Electrical Trade Union employees are shift workers and that the case in relation to the 17½% loading does not affect shift workers.

Mr Speaker, the other matter I would like to raise tonight concerns a little booklet entitled 'Should I Nominate for Council?' It was issued recently by the Local Government Industry Training Committee with funding from the Office of Local Government. A number of people were involved including Garry Storch, the Town Clerk of Darwin; Roy Mitchell, the Town Clerk of Alice Springs; John Maley, President of the Litchfield Shire Council; Noel Lynagh, Secretary of the Local Government Association; Hugh Richardson from the Office of Local Government; and Geoff Raddatz and Jim Wright from the NT Local Government ITC. The book goes through a series of matters which are important to people who are thinking of nominating for council. These include the role of local government, the development of local government in the Territory, sources of revenue, the role of the elected member, standing for election and campaigning. In respect of campaigning, it advises that the candidate should not make grand promises. We all know about that. Other headings include: 'Procedure and Conduct of an Election', 'Congratulations You Have Been Elected' and 'Good Luck'. That particular publication has been funded by the Office of Local Government in my department and I believe it will make very good reading for anyone interested in councils.

Mr FINCH (Transport and Works): Mr Speaker, I would like to support the Leader of the Opposition's expression of condolence on the death of Dolly Bonson. I did not meet Dolly Bonson until very recently when she moved into the Salvation Army Nursing Home in Mirambeena Street, but I know quite a few members of the family. Most of them are involved with the Darwin Football Club, about which I spoke earlier in the sittings, mentioning the significant contribution made by the Bonson family. Given the lateness of the hour, I would simply like to close by expressing my genuine sympathies to the Bonson family.

Mr Speaker, I seek leave to have my remarks on the Darwin Port Authority incorporated in Hansard.

Leave granted.

Mr Speaker, as all members will appreciate, the Port of Darwin is significant not only because it is a critical piece of transport infrastructure in its own right but also because it is a key element in the government's overall transport strategy which is designed to take the Territory into the 21st century. Transport is a dynamic industry and, because of the changes taking place within it, both in marine and associated areas, I feel the time is appropriate for an appraisal of the port, its changing functions and its future.

There are 4 basic parameters which determine the success or otherwise of any port. These are: adequate port facilities, efficient and competitive port services, cargo to support the introduction and retention of economically-viable shipping services, and effective marketing of the port.

Members should be aware that, following self-government, a $36m modernisation and upgrading program was undertaken at the port. The reason for this magnitude of spending was simple. The federal government had left us with only 2 major pieces of infrastructure which were worthy of a modern port. These were the Iron Ore Wharf, which was completed in 1967, and Stokes Hill Wharf, which was built in 1955. Since 1979, when construction began on the new Fort Hill Wharf, more than $26m has been spent on the main wharf area and an additional $10m on infrastructure in Frances Bay for the developing fishing industry.

Following its facelift, Fort Hill Wharf now has container cranes container storage and Ro-Ro facilities, resulting in the Port of Darwin being capable of handling almost any kind of vessel and cargo. Refurbishing of Stokes Hill Wharf and the loader at the Iron Ore Wharf have added further to the capabilities of these 2 areas. The construction of the new facilities has resulted not only in the more efficient handling of cargo but also in attracting new port-related services to Darwin. In fact, in recent months, a major national shipping agent and a major national stevedore have established themselves in Darwin.

While the upgrading of the port facilities was necessary, it is every bit as important to let potential port users know what we have to offer. The Darwin Port Authority has embarked on a professional marketing program to promote the features of our modern port and its geographical advantages, particularly in relation to South-east Asia. One of the more notable successes of this marketing program was the reintroduction, 2 years ago, of frozen beef shipments to North America after a lay-off of 9 years. Marketing is made much easier when you have a saleable item and I can say with confidence that the Darwin Port Authority has exactly that.

I have outlined already the standard of infrastructure now in place at the wharf and the added attraction of Darwin's proximity to South-east Asia. As members are probably aware, we hope to use this geographical factor to our advantage as we continue to work on major port-related initiatives such as the land bridge concept and the railway.

We have also introduced certain initiatives at the port which, I believe, set us apart from the generally-accepted picture of the Australian waterfront. One such initiative is the Port Efficiency

Task Force. This body has brought together the various interest groups in the port, ranging from the Darwin Port Authority to the Waterside Workers Federation, and includes customers, shippers and agents. The Port Efficiency Task Force provides a forum for dialogue and, perhaps even more importantly, it has helped establish a spirit of cooperation between bodies which have traditionally found themselves at loggerheads. So successful has the concept been that it has served as a model throughout Australia. The Northern Territory, through the government, the Darwin Port Authority and the Port Efficiency Task Force, has been at the forefront of national efforts to improve efficiency and reduce costs on Australian waterfronts.

There has also been involvement in the Waterfront Strategy Inquiry that is being undertaken by the interstate commission, as well as the Coastal Shipping Inquiry that is being conducted currently by the Industries Assistance Commission. Both inquiries have had sittings in Darwin, providing added opportunities for Territory input.

As I have already mentioned, Darwin has a natural geographical advantage over the rest of Australia in its proximity to South-east Asia. This advantage has been enhanced by cheap backloading rates over excellent all-weather roads and a rail link from Alice Springs to southern and eastern seaboard population centres. As all members of this House are aware, it is planned that the rail link will extend from Alice Springs to Darwin, thus adding a further dimension to the port. The government is working on fostering direct shipping links with Asia in a bid to establish Darwin as the natural port of call in Australia for vessels from South-east Asia. The government acknowledges the pioneer services between Darwin and South-east Asia, but our prime target is a direct shipping link with Singapore which, in turn, would provide Territory industry with direct access to the new round-the-world shipping services and other transshipment opportunities, particularly to east Asia and North America. We are sparing no efforts in a bid to establish a Singapore-Darwin freight ferry service.

To complement attempts at establishing this service, extensive research is being undertaken on the land bridge concept and the establishment of a freight base in those products that could be called 'catalyst cargoes'. These are products which would attract regular container services. To this end, a good deal of work has been put into studies on the transporting of meat, fish, timber and a variety of other products.

Naturally, not all of the Darwin Port Authority's efforts are being expended on the establishment of a direct Darwin-Singapore shipping service. There are a number of other options currently under examination. For example, there have been port calls in recent months by vessels operated by a joint Western Australian, Japanese and Korean consortium which is assessing the potential of a service between Darwin and various Asian ports. There are also positive signs that Bank Lines may be close to upgrading its services to Darwin to a monthly basis. Indications are that Columbus Lines is also giving active consideration to calling at Darwin again.

Darwin has much to offer shippers. The port is uncluttered and Customs clearance is much quicker here than elsewhere in Australia.

The current crisis on the Sydney waterfront, where there is a massive backlog of containers, some of which have been there since December, highlights this point. The port unions here are far more cooperative than elsewhere in Australia and, particularly in the eyes of potential foreign shippers, this is a major plus. In fact, a recent discussion on this particular point with a leading figure in a stevedoring company proved most illuminating. This man, who has vast experience of waterfronts, described the industrial relations climate at the Port of Darwin as 'dramatically better' than elsewhere in Australia. Another factor that impressed him was the significant improvement in manning scales in recent times. This, of course, was the result of negotiations before the Stevedore Review Committee. Then, of course, there is the recent $20 per man-hour reduction in the port levy, and I am reliably informed there is every prospect of further reductions in this area.

With the construction of the Alice Springs to Darwin railway, the economics of the port will improve dramatically. The railway will mean that freight from elsewhere in Australia will be attracted to Darwin. This is critical if the Port of Darwin is to progress towards becoming a major Australian port - especially for Asian shipping.

Another development with exciting potential as far as the port is concerned is the Trade Development Zone. The zone offers long-term possibilities for increased cargoes of imported raw materials and exports of finished products. Let us not forget that it was the Trade Development Zone that was responsible for attracting the first freight forwarder to Darwin, which was an important step in port development. Now that Railex Fadelli has a bonded warehouse in the Trade Development Zone, the potential exists for selling national chain stores on the concept of importing containers direct to Darwin and unpacking them under bond conditions for distribution to other places in Australia, particularly in the north. Places such as Cairns, Townsville, Mt Isa and Alice Springs are potential users of such a service.

We should not forget that much of current revenue comes from the use of the port by local industry. Operations with interests in or around Darwin, such as Northern Cement, Ranger, Nicron Resources, BHP Petroleum, Elf Aquitaine and Livestock Exporters, are major users of the port. The activity in major offshore oil and gas developments means not only more calls by rig tenders but increased movements across the wharf of imported specialist supplies used in drilling operations.

Tourism is also making its presence felt at the port. In 1984, there was a call by a solitary passenger liner but, by the end of 1988, there will have been some 13 calls by tour ships during the year. This increasing support for the Port of Darwin from major cruise lines speaks volumes for the port. Major tourist organisations certainly would not be calling at a port which they feared would harm their reputations and, in turn, profit levels. Cruise lines which have had Darwin on their itineraries in recent years include Sitmar, Blue Funnel, Cunard, P&O, CTC, Royal Viking Lines and Hapag-Lloyd. The confidence shown in the standards existing at the Port of Darwin is typified by companies such as Royal Viking Lines which, after previous calls, has committed its still-to-be-completed super luxury

liner 'The Royal Viking Sun' to a Darwin visit next year. Then there is the 'Coral Princess' which will make 3 calls to Darwin this year and the China Transport Company which plans 2 calls.

Another waterfront success story has been the involvement of the Port Authority in the establishment of infrastructure for the fishing industry. Fishermen's Wharf and the adjacent mooring basin for fishing vessels are expected to play key roles in developing Darwin as home base for the northern fishing fleet. Darwin Port Authority staff have worked closely with private enterprise in marketing the mooring basin in an effort to have repair and maintenance work carried out on trawlers here rather than at other ports. Private enterprise estimates put the value of such work to Darwin small business this year at between $5m and $9m, and that is only the beginning. In turn, further development of the fishing and prawning industries will lead to increased high-value exports which, of course, will pass over the Darwin wharf.

Port facilities and sea transport are vital to the development of the Territory. In recognising this, the government continues to support and promote the port for the sake of all Territorians. There is more to a port than the physical infrastructure that is put in place. Darwin's port facilities were built with an eye to the future and with the hope of increasing the movements of both ships and cargo. To this end, last year the Darwin Port Authority published a document entitled 'Darwin Port Development' which examined projections for the port over the next 12 to 13 years.

There has been a downturn in international shipping in recent times and, like other ports in Australia, the Port of Darwin has felt its effects. But I am confident that the port, which is already a major asset, will prove an even bigger plus for the Territory in years to come. This confidence is based on the port's professionalism, pending developments such as the railway, reaction to our marketing strategy, and continued displays of confidence in Darwin by major shipping companies plus our proximity to, and growing trade links with, South-east Asia. Most importantly, the spirit of cooperation shown by all sectors of the port community will be a major plus in our success. South-east Asia is one of the globe's major areas of growth and the Territory is located on the very edge of this dynamic region. Fortunately, the Northern Territory Port Authority has not sat idly on the sidelines watching developments in the region; it has grasped the initiative and is making itself known in South-east Asia. The Territory will pick up the dividends when that initiative, together with our other waterfront investments, matures in the years to come.

Mr MANZIE (Conservation): Mr Speaker, the Conservation Commission is undertaking or supporting a number park-based development activities which will have major impacts on tourism. I would like to cover some programs that are supporting the economic development in the Northern Territory and that have been operated by the Conservation Commission. The developments taking place at Litchfield, Berry Springs, Cobourg Peninsula, Kings Canyon and Hermannsburg are worthy of mention in this House.

The Northern Territory government, through the Conservation Commission and the Department of Transport and Works, is currently developing Litchfield Park to meet Darwin's growing tourism and recreation needs. A development study

and preliminary environmental report for the park was developed jointly between the Conservation Commission and the then Northern Territory Development Corporation in 1985. The loop road, which connects Litchfield Park with the Stuart Highway via Batchelor and Berry Springs, is expected to be open for conventional vehicle access during the 1988 dry season. Preliminary day use and overnight visitor facilities commensurate with conventional vehicle access will also be established at Wangi and Florence Falls during the 1988 dry season. Facilities suited to 4-wheel-drive activities are being established at the Sandy Creek Falls.

The Department of Health and Community Services is exploring the feasibility of establishing a prison work scheme to assist with development of facilities such as trails, fencing and landscaping at Litchfield Park. Other implications for the park include the government's proposal to extend the park south to the Daly River Road and preliminary proposals of the Power and Water Authority to establish water supply dams in and around Litchfield Park. If proposals for dams such as the Warrai and Mount Bennet reservoirs proceed, a joint management strategy suited to supply, recreation and tourism needs could be developed between the Conservation Commission and the Power and Water Authority.

A number of major constructions within the Berry Springs Wildlife Park, such as the office entry station, service area and services, staff housing and fencing are completed already. Additional constructions are now nearing completion including the bird hide, nocturnal village, aviaries and public toilets. In consultation with the Department of Transport and Works, an initial concept design on the aquatic display, a bicentennial project, was submitted to local consultants and the New Zealand firm, Marinescape, for a final concept design of a 19 m acrylic tunnel and associated works. Initial development will be completed in time to permit public entry to the wildlife park before the end of 1988.

A plan of management for the Gurig National Park was tabled in this Assembly at the September sittings. The plan clears the way for the development of a wilderness resort at Coral Bay in the Gurig National Park. The concept proposed is for a high-tariff wilderness lodge providing a high standard of accommodation in 34 rooms. The design features a central amenities and service area with cabins located in a natural bushland setting. All design work is of an unobtrusive nature and will blend harmoniously with the surroundings. The Cobourg Peninsula Sanctuary Board has selected a preferred developer for further negotiations leading to the preparation of agreements for the development of the resort. Negotiations are under way with a view to the signing of agreements by 1 April 1988. A preliminary environment report is currently under consideration.

In February 1987, a $0.5m dollar-for-dollar Commonwealth Northern Territory Bicentennial Commemorative Grant was approved for the restoration and presentation of early buildings within the Hermannsburg Historic Precinct for tourist development. Control of the program is vested in the traditional owners of the historic site, the Ntarria Land Trust. The trust, through its legal representative, the Hermannsburg Historical Society Incorporated, engaged a consultant to carry out the conservation and interpretation works on its behalf. Mr Speaker, I believe you would be up to date with what is occurring in the Hermannsburg area.

In later 1987, problems due to the failure of the consultant's business delayed progress for a time but, since December 1987, the Conservation Commission has provided advice and assistance, and has facilitated

consultation between the parties involved in the program to progress arrangements for its continuation and successful completion. Tenders for the completion of restoration works are to be called in March 1988. The Conservation Commission is assisting in the drawing up of a consultant's brief and contract for the completion of interpretation work. It is anticipated that the program will be completed on schedule by June 1988.

At Kings Canyon in the George Gill Ranges of central Australia, the developer is Mingatjuta Developments Pty Ltd, a partnership representing Bill King's Destination Marketing Australia Pty Ltd and Centrecorp Pty Ltd, a commercial arm of the Central Land Council. They are to develop a wilderness lodge together with associated tourist facilities including a camping ground, store and service station roadhouse. The project is funded totally by Mingatjuta, except for road access and water supply pipeline to the lease boundary which the Northern Territory government has agreed to construct.

A 3-year development lease has been negotiated between the Northern Territory Land Corporation and Mingatjuta. The lease is expected to convert to freehold title upon the successful completion of the program. Discussions with the Conservation Commission have resulted in the drawing of draft agreements covering a safari camp, walking trails and horse and camel trail rides in the park. Subject to minor amendments, the agreements will be finalised shortly.

Following survey, it is expected that construction of the access road will commence in March 1988. The road alignment has been approved by the traditional owners and the Aboriginal Sacred Sites Protection Authority. Commissioning work on the water bore field is scheduled to commence in later February to early March 1988. The water pipeline will mainly follow the access road alignment; Aboriginal interests are not compromised. The Environment Unit of the Conservation Commission is awaiting submission of a preliminary environmental report following discussions with the developer on facilities design.

Mr Speaker, you can see that the Conservation Commission of the Northern Territory is playing its part in developing programs which will support the future economic development of the Northern Territory.

Motion agreed to; the Assembly adjourned.