

Madam Speaker Purick took the Chair at 10^oam.

VISITORS
Marrar Christian College

Mr DEPUTY SPEAKER: Honourable members, I advise of the presence in the gallery of the Year 9 students from Marrar Christian College, accompanied by their teachers. Honourable members, I extend a warm welcome on your behalf. Welcome.

Members: Hear, hear!

SPEAKER'S STATEMENT
20th Anniversary of Female Speaker of the Northern Territory

Mr DEPUTY SPEAKER: Honourable members, Saturday 25 November marks the 20th anniversary of the first female Speaker of the Northern Territory Legislative Assembly, of Ms Lorraine Braham, former member for Brainting.

Members: Hear, hear!

Mr DEPUTY SPEAKER: Twenty years of continuous speakerships of women, either then from 16 February 1999 until 16 October 2001, when the Honourable Terry McCarthy held office.

World Aids Day

Mr DEPUTY SPEAKER: Further to that I would like you all to find on your desks this morning a red ribbon. December 1 is World Aids Day and the red ribbon has been placed on your desk in order to raise awareness and support across the community for this cause. This day is an opportunity for the community to show their support for people living with HIV to remember those who have passed away due to Aids related conditions or conditions associated with HIV, and provide support to the 20 Australians who are diagnosed with HIV every week.

Members, I urge you to show your support for those within the community living with Aids by wearing your red ribbon today, the international symbol of HIV awareness and support.

PAPERS TABLED
Economic Policy Scrutiny Committee's Report on
Biological Control Amendment Bill

Mr SIEVERS (Brennan): Mr Deputy Speaker, I table the Economic Policy Scrutiny Committee's report inquiry in to the Biological Control Amendment Bill 2017 and associated minutes of proceedings. The committee called for submissions on 20 October 2017 to be received by 8 November 2017. No submissions were received and the committee has no matters to bring to the attention of the Assembly. The committee therefore recommends that the Assembly pass the bill.

Motion agreed to; report noted.

Social Policy Scrutiny Committee's Report on
Parks and Wildlife Commission Amendment Bill 2017

Ms AH KIT (Karama): Mr Deputy Speaker, I table the Social Policy Scrutiny Committee's report on Parks and Wildlife Commission Amendment Bill 2017 and associated minutes of proceedings. The committee called for submissions on 20 October 2017 to be received by 17 November 2017. No submissions were received and the committee has no matters to bring to the attention of the Assembly. The committee therefore recommends that the Assembly pass the bill.

Motion agreed to; report noted.

**Public Accounts Committee Report of Inquiry
Into Taxi Licensing and Subleasing**

Ms WORDEN (Sanderson): Mr Deputy Speaker, I table the Public Accounts Committee Report of the Inquiry into Taxi Licensing and Subleasing and the associated minutes of proceedings.

MOTION

**Note Paper - Public Accounts Committee Report of Inquiry
Into Taxi Licensing and Subleasing**

Ms WORDEN (Sanderson): Mr Deputy Speaker, the Assembly referred this inquiry to the committee to investigate issues relating to licence allocation and subleasing of taxi licences following allegations of corrupt regulation and illegal dealings with taxi licences in Alice Springs.

The committee called for submissions through social media, advertisements and writing to identified stakeholder bodies. At the close of submissions the committee was concerned that it had not heard from participants from all sectors of the industry, so we wrote to over 1000 taxi drivers and licence holders registered across the Northern Territory.

In response, the committee received over 70 submissions from a wide range of stakeholders. The allegations of corruption, sensitive issues and relationships with the industry made it necessary to keep all submissions confidential. While publishing submissions is usually the default for committee inquiries, the sensitivities this inquiry resulted in the committee keeping submissions confidential by default. As a result, many of the specifics raised in submissions have not been publicly aired. They have, however, been considered by the committee and informed our conclusions.

I sincerely thank the many people who have taken the time to make their views and experiences known to the committee.

While the committee received some general allegations of corruption, no specific evidence of corruption was received. Instead, the committee found a regulatory system with some significant shortcomings. A particularly key shortcoming was the department's advice to industry that subleasing was illegal, despite the committee finding there being no law prohibiting the practice.

This is an important point to fully understand the outcome of this inquiry. The committee agreed with the department that subleasing in the current capped environment is against the public interest and should be prevented. The committee also agreed that such subleasing should be illegal. However, the committee disagreed with the department's claim that it was, in fact, currently illegal.

The committee was not alone in this view; it was the view expressed by the Solicitor for the Northern Territory. It also, at times, appeared to be the view of the department through its actions, given that it implemented a short-term policy that enabled the allocation of licences to people who demonstrated that they had previously held a sublease. It is a confusing situation for the industry.

Understanding how this unusual situation came about requires an understanding of the history of taxi regulation in the Northern Territory. In 1999, we became the first jurisdiction in Australia to implement the National Competition Policy Agreement relating to taxis by removing restrictions on taxi numbers. However, the implementation of these reforms struck problems. While the government compensated licence holders for the loss of ownership of their licences, it did not successfully manage the disruption caused by moving into an unrestricted market. This led to temporary reintroduction of a cap on licence numbers which has remained in place to date.

Prior to 1999, taxi licences were seen as an investment and there was no policy or law against leasing them. Following the buy-back, licences were leased from government on an annual basis. Initially, there was no restriction on licence numbers and an accredited person could obtain a licence for simply an annual fee.

The legislative reforms did not address the question of whether a licence holder could sublease their licence, as there was no reason to pay the additional expense of entering into a sublease when a licence could easily be obtained directly from the government. The reintroduction of the cap from 2001 and the limited opportunity to obtain the licence through infrequent ballots has resulted in an environment where subleasing has undoubtedly now become a problem.

Subleasing has a number of adverse affects which have been thoroughly detailed in our report. Some taxi drivers have been willing to pay tens of thousands of dollars a year to sublease a licence. That is money that is being paid because the government has made licences scarce. It is not money that has been paid to reward work or investment.

However, despite government policy not supporting subleasing, the law was never changed to make it illegal, nor have alternative regulatory options been pursued to clearly prohibit subleasing. As a result, licence holders who no longer wish to operate a taxi are left with only two options - they can return the licence to government in accordance with departmental policy or they can simply sublease the licence and earn ongoing subleasing fees due to the scarcity of licences. The attractiveness of the second option has resulted in subleasing being widespread in both Darwin and Alice Springs.

I repeat, as there has been much confusion at this point, while subleasing is contrary to the department's policy and to the public interest it has not been against the law.

Looking at subleasing inevitably led the committee to look at the cap on taxi licence numbers. Subleasing exists because drivers cannot get a licence from the government so are willing to pay a premium to get one from another licence holder.

The problem of subleasing can be addressed in one of two ways. The cap can be removed so that any accredited person can obtain a licence from government or subleasing can be prohibited by law. The department empowered and funded to enforce that prohibition.

Neither option is straightforward. Removing the cap will provide the opportunity for taxi drivers to become operators, increase the number of taxis on the road and reduce customer wait times. However it will result in increased pressure for licence-holders who are already dealing with industry uncertainty with the anticipated arrival of ride-sharing services.

Maintaining restrictions on taxi licences comes with significant costs by limiting opportunities for taxi drivers to become operators, increase customer wait times and creating incentives to sublease licences as I have said.

The committee was not convinced that the department would be able to monitor or address subleasing. By its own admissions the department is aware that it is occurring but lacks the capability to address it.

The committee has given robust consideration to all of the evidence presented throughout the course of this inquiry. There were no easy answers to the problems the committee found. However, having considered all the evidence received the committee concluded that maintaining the cap on taxi numbers cannot be justified.

The future of the taxi industry cannot be sustained through protective measures. The committee recognises that the industry is already facing an uncertain future. As such the committee has recommended that the cap be removed in a staged process, moderating the pace of regulatory change will assist the industry to transition in a changing environment and will better equip it to provide quality taxi services into the future.

The committee has also recommended the department develop and implement an education program to improve the industry's understanding of the regulatory framework, compliance with regulatory framework, compliance with regulatory requirements and industry and consumer expectations.

In addition the committee has made a number of recommendations to improve future reviews of the industry, provide a level of stability to the industry and enhance the role taxis play in providing tourist services.

On behalf of the committee I would like to thank all those that made submissions and appeared at public hearings. Their frank input has been invaluable to the committee's deliberations on a range of complex and polarising issues relating to industry regulation.

I also thank my fellow committee members for their robust consideration of all the issues raised and bipartisan consideration of solutions through the course of this inquiry with at all times the best interests of the taxi industry at the front of their minds.

I move that the report be noted.

Mrs LAMBLEY (Member for Araluen): I would like to acknowledge the tabling of this report by the chair of the Public Accounts Committee.

This was an important piece of work, and I understand that the investigation into the Northern Territory taxi industry has been undertaken with the utmost of professionalism and I applaud the Member for Sanderson and her committee for doing this, with such style and consideration of how delicate these matters have been.

It was in February this year that I referred this matter to the Public Accounts Committee (PAC) of the Northern Territory Parliament. I thank this Parliament for supporting the motion I put forward. Eight or nine months ago it was clear that the taxi industry in the Northern Territory needed far-reaching reform particularly in the area of subleasing.

I have not read this report but I thank the committee for undertaking this work quickly. Eight months is not a long time to investigate a problem that has been there for perhaps many decades.

The challenge now will be how to implement the report's recommendations. How will the government do that? I know people in my community of Alice Springs have been anxious about the content of this report, and what it means for them in the Alice Springs taxi industry in which there are deep-seated problems.

Just the other day I was talking to a taxi driver at the airport. He was telling me about how anxious he was about the implications of this report.

Hopefully we will see some change, improvements and clarity over the next six to 12 months on how these recommendations from this PAC report into the Northern Territory taxi industry will be implemented. I look forward to observing and being a part of that.

Debate adjourned.

CRIMINAL CODE AMENDMENT (INTIMATE IMAGES) BILL (Serial 38)

Ms FYLES (Attorney-General and Justice): I present a bill entitled the Criminal Code Amendment (Intimate Images) Bill 2017 and table a copy of the explanatory statement and a statement on compatibility with human rights as defined in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* Commonwealth act.

This bill is about non-consensual sharing of intimate images, sometimes called intimate image abuse, or more commonly, revenge porn. It is an increasingly concerning and increasingly prevalent behaviour both in Australia and internationally.

It can be used as a tool of power in the control of domestic violence in the context of domestic violence, as a means of revenge following a relationship breakdown. It can be perpetrated by friends, acquaintances, or strangers.

Advances in technology have increasingly facilitated the non-consensual sharing of intimate images. In an instant they can be emailed, texted, uploaded on social media platforms or potentially pornography websites.

Images can be 'photoshopped'. For example, a perfectly innocuous photo of a person's head may be photoshopped onto the naked body from a pornographic magazine or website to create a composite image and then distributed to a person's friends, family or work colleagues.

The reasons for sharing intimate images without consent are many and various. But, whether it is for revenge, manipulation, financial gain, humiliation, embarrassment or, disturbingly, a joke, the potential for harm is clear and well-documented.

A report by Dr Nicola Henry, Dr Anastasia Powell and Dr Asher Flynn from RMIT, published in May 2017, found that one in five surveyed Australians reported being victims of some form of image-based abuse. Eleven per cent reported sexual or nude images being distributed without their consent and 9% had experienced threats that a sexual or nude image would be distributed to others.

The report also revealed the following statistics:

- 80% of people who had experienced threats to distribute an image reported high levels of psychological distress, consistent with a diagnosis of moderate to severe depression and/or an anxiety disorder

- 75% of victims whose images were distributed without consent also reported these levels of psychological distress
- 39% of victims whose images had been distributed without their consent reported being very or extremely fearful for their safety. This level rose to 46% for victims of a threat to distribute.

The problem is widespread. It is serious. It is not confined to 'revenge' and it is not about pornographic images. There has been growing concern, both in Australia and internationally, about the limited capacity of the criminal law to address this conduct.

For example in February 2016, the Commonwealth Senate Legal and Constitutional Affairs References Committee published its report on the phenomenon, recommending that the Commonwealth and the states and territories enact specific offences criminalising non-consensual recording, sharing and threatening to share images.

In 2016, the previous Northern Territory Attorney-General and Minister for Justice commissioned a report from the Northern Territory Law Reform Committee (the NTLRC) to consider how the Territory should combat the non-consensual sharing of intimate images.

Following the change of Government last year, the NTLRC presented its report to me and I released it in May 2017.

The report made seven recommendations, which the Territory Labor government broadly supports. I acknowledge that this body of work began under the former government, but we have continued it because it is important to Territorians.

I note the presence of the young Territorians in the gallery today, and I assume many of them have mobile or technological devices. My two young children are at me in order to have them. People can innocently take actions and then if friendships break down later on there can be huge repercussions. It is important for government to acknowledge this, and that is what has happened with this Law Reform Committee report.

The report recommended the introduction of offences addressing the sharing of intimate images without consent and the threatening to share those intimate images.

On 19 May this year I, along with the Commonwealth and other state and territory Attorneys-General and Justice and Police ministers, attended a meeting of the former Law, Crime and Community Safety Council. At that meeting we endorsed that a national statement principles relating to the criminalisation of non-consensual sharing of intimate images, which I will refer to as the national principles.

The national principles set out non-binding, best-practice principles for nationally consistent criminal offences relating to the non-consensual sharing of intimate images.

Prior to the ministerial endorsement of the national principles, two jurisdictions—South Australia and Victoria—had enacted specific offences targeting non-consensual sharing of intimate images. Western Australia had acted to include the sharing of an intimate image of a family member within the definition of family violence in its domestic violence legislation.

Since the endorsement of the national principles, New South Wales in May and the ACT in August have enacted specific offences consistent with the national principles. We have drawn on the legislation enacted in those other Australian jurisdictions and taken on board the detailed report and recommendations of the NT Law Reform Committee.

The bill I present today is consistent with the national principles. It addresses limitations in the capacity of criminal law regarding non-consensual sharing of intimate images. It will provide protection to victims, including victims of domestic violence, whom the threat of sharing an intimate image can be used as a tool of manipulation and control.

It will send a clear message to Territorians, denouncing this conduct as being unacceptable in our society.

I will now turn to the details of the bill.

The central part of the Bill is clause 6, which inserts new Division 7A into Part 6 of the Criminal Code. Part 6 is the Part of the Criminal Code that deals with offences against the person.

New Division 7A is titled 'Distributing intimate images'. Clause 7 provides that new Part 7A is included in the Schedule to the Criminal Code, which means that the criminal responsibility provisions in Part 2AA of the Criminal Code will apply to the new offences.

Returning to clause 6, new section 208AA sets out definitions that apply to the new offences.

Consistent with the national principles, the definition of 'distribute' is broad and inclusive, to capture the various ways that an intimate image may now, and might in the future, be shared. It includes both physical and cyber forms of sharing and covers distribution that does not have a specific or intended recipient, such as posting an image on Facebook.

The definition of 'image' is also broad and general, covering both still and moving images.

Following recommendation 3 of the NTLRC report, the focus of the definition of 'intimate image' is on sexual images. This is reflected in particular in paragraphs (a) and (b) of the definition, namely, an image of a person engaged in a sexual act or of a person in a manner or context that is sexual.

However, the definition also includes, in paragraphs (c) and (d), regions of the body and the breasts of a female, or of a transgender or intersex person who identifies as female. Images of these parts of the body may not necessarily be sexual but their non-consensual distribution, whether bare or covered by underwear, would constitute such a degree of invasion of privacy as justifying criminalisation.

An 'intimate image' includes an image that has been altered, for example by 'photo-shopping'. The definition of 'intimate image' is based on the definition in Victoria. It is slightly narrower than the definitions in NSW and the ACT. This is deliberate, as it may be that the definitions in those jurisdictions, particularly the inclusion of images of a person 'in a state of undress' are too vague and could be problematical in interpretation and application. For example, what amounts to a state of undress varies considerably among different religious, ethnic and age groups.

New section 208AB is the offence of distributing an intimate image of another person without that person's consent.

The fault elements are as follows:

- for the conduct of distributing an image, the fault element is intention
- for the circumstance that the image is an intimate image, the fault element is recklessness
- for the lack of consent, the fault element is also recklessness.

The penalty for the offence of distributing an intimate image without consent is three years' imprisonment. This is the same penalty as prescribed for the like offence in New South Wales and the ACT and is proportionate to the seriousness of the conduct. It is important that the offence apply only to the conduct that so far transgresses social norms and justifies criminalisation, and that it does not interfere with the performance of legitimate functions.

Accordingly, subsection (2)(a) through (g) sets out a list of circumstances in which the offence does not apply. These circumstances include law enforcement and investigation; medical, scientific and educational purposes; distributing an image of a child or other person incapable of giving consent without the important proviso that a reasonable person would regard the circumstance of the distribution as acceptable.

An example of this third category would be parents sharing a photograph of their new born baby who is naked. The offence also does not apply where the image is shared only with the person depicted in it, although such sharing could amount to evidence of a threat to distribute.

Finally, the offence does not apply to distribution by a person solely acting in their capacity as an internet service provider, internet content host or carriage service provider. The reason for this inclusion, which is consistent with the position in other jurisdictions in Australia, is that a state or territory offence criminalising such distribution would be virtually unenforceable and is more properly addressed by the Commonwealth legislation.

The absence of consent is at the heart of the offence. Subsections (3) to (7) provide a non-exhaustive list of circumstances in which consent to the distribution of an intimate image may be nullified. These factors are specific to the offence of distribution of an intimate image and are designed to provide guidance to the circumstances where there is no consent.

Subsection (3) provides that a person under the age of 16 cannot give consent to the distribution of an intimate image of themselves. This is designed to protect young people who may lack the capacity to make good decisions about sharing of intimate images and achieve consistency with the age of consent for other offences in the Criminal Code.

Subsections (4) to (6) address the types of activities that have been identified as being specific to the sharing of images. They provide clarity regarding some of the boundaries of consent and promote the control of a person over the intimate images of themselves. Accordingly, if a person consents to the distribution of an intimate image on one occasion, that fact of itself does not mean the person has consented to the distribution on another occasion. If a person consents to an image being distributed to a particular person in a particular way, that fact itself does not mean the person has consented to the distribution of that image in another way or to another person.

The fact that a person distributes an intimate image of themselves does not equate to consent to further distribute the image. Subsection (7) clarifies that the circumstances in which consent may be nullified are not limited to by subsections (3) to (6).

Subsection (8) provides positive definition of consent that mirrors the definition in section 192(1) of the Criminal Code. New section 208AE(1) creates the offence of threatening to distribute an intimate image. The threat to distribute an intimate image can be used as a tool to intimate, control or coerce a person, often in a domestic violence situation. The seriousness of this conduct and the harm it can cause is reflected in the maximum penalty of three years' imprisonment, which is the same as distributing an intimate image without consent. This is the same penalty prescribed for like offences in New South Wales and the ACT.

The exceptions in 208AB(2) do not apply to the offence of threatening to distribute an intimate image as the performance of a legitimate function or conduct that a reasonable person would regard as acceptable and could not include threatening behaviour.

Lack of consent is also not an element of the offence, as it is not relevant to an offence involving a threat. Subsection (2) provides guidance as to the ambit of the offence. A threat may be explicit, implicit, conditional or unconditional. It may be made by any conduct, not just words.

As the offence is targeting at the perpetrator's behaviour and state of mind, when the prosecution must prove an intention to cause the other person to fear that the threat would be carried out. It is not necessary to prove actual fear or that it was possible for the threat to be carried out. For example, person A wants to leave an abusive partner, person B. Person B threatens to send a personal photograph of person A to their employer unless they stay in the relationship. As long as person B intends to person A to fear that they will carry out the threat, it does not matter if there is no photograph, nor does it matter if the threat does not instil fear in Person A.

The new offences in the bill will apply to both adults and children. Children can be both the victims and perpetrators of non-consensual sharing of intimate images. To protect victims, it is important that perpetrators under the age of 18 can be prosecuted where their conduct is sufficiently serious to meet this course. However, the interests of the victim need to be balanced with ensuring against inappropriately criminalising non-exploitive behaviour of young people.

The offences in new sections 208AB and 208AC will not be prescribed as serious offences for the purpose of section 39 of the *Youth Justice Act*. This means that the first recourse for police dealing with a complaint against a young person will be a warning or diversion, not prosecution.

New section 208, however, provides further safeguard over criminalisation; namely that prosecution of a person under the age of 18 cannot be commenced without the consent of the Director of Public Prosecutions. An important reason for this safeguard is because a person under the age of 16 cannot consent to the distribution of an intimate image. In many cases, it will be the young people who distribute images of other young people, including young people under the age of 16. The requirement for consent of the Director of Public Prosecutions can act to provide a buffer against the prosecution of behaviour of young people.

New section 208AE provides an ancillary power for the court that finds a person guilty of an offence against new sections 208AB and 208AC to order the person to take reasonable steps within a stated period to remove, retract, recover, delete or destroy any intimate images related to the offence. New section 208AE(2) provides that failure to comply with an order is an offence punishable by a maximum penalty of two years imprisonment.

As with the offences in new section 208AB and 208AC, this offence and its penalty is consistent with the like offences in New South Wales and the ACT. As in New South Wales and the ACT, the takedown power in new section 208AE is confined to what is realistically and jurisdictionally possible for that state or territory in a Federation. It does not offer a civil or administrative remedy to victims and it does not give a Territory court the power to make an order against an Internet service provider or content host. It is the Commonwealth that is best placed to address these important remedies. I understand the Commonwealth is actively considering such matters.

On the last point, I am pleased to inform members of the Assembly that on 16 October the Commonwealth eSafety Commissioner launched an online portal providing reporting options and support resources for victims of non-consensual sharing of intimate images. The portal enables victims to file a report with the Office of the eSafety Commissioner which will endeavour to have online images removed. The online portal has a wealth of useful information and links to assist victims obtain further information and support.

The Territory Labor government recognises that tackling non-consensual sharing of intimate images needs a holistic and multifaceted approach. The Commonwealth's eSafety Commissioner's online portal is one aspect of the approach. Education and community awareness is, of course, another.

This bill, Madam Speaker, by criminalising this harmful behaviour, shows that the government is doing its part in addressing this growing problem. I commend the bill to honourable members.

Motion agreed to; bill read a first time.

Ms FYLES (Attorney-General and Justice): Madam Speaker, I move that the bill be referred to the Social Policy Scrutiny Committee for report by 13 March 2018.

Motion agreed to.

**DOMESTIC AND FAMILY VIOLENCE AMENDMENT
(INFORMATION SHARING) BILL
(Serial 40)**

Ms FYLES (Attorney-General and Justice): Madam Speaker, I present a bill entitled Domestic and Family Violence Amendment (Information Sharing) Bill 2017 (Serial 40) and table the explanatory statement and statement on compatibility on human rights.

I move that the bill now be read a first time.

This is a long explanatory speech, but it is important. I thank members for their patience while I read this speech and explain why the government is introducing this legislation.

The Domestic and Family Violence Amendment (Information Sharing) Bill 2017 will provide for a new domestic and family violence information sharing regime by creating a new Chapter 5A in the *Domestic and Family Violence Act* to deal with information sharing.

The government has committed to addressing the alarming rates of domestic and family violence we witness in the Northern Territory. Victimization rates for assault in the Territory are by far the highest in the country. Between September 2016 and August 2017 there were 1877 victims of domestic and family violence which related assault for every 100,000 people, which is approximately four times the national average.

Aboriginal and Torres Strait Island women in the Territory are 60 times more likely than non-Aboriginal women to be hospitalised as a result of violent assaults, mostly committed by their partners. This is unacceptable. This is why the government under our new domestic and Family Sexual Violence Reduction Framework has committed to improving the justice system and frontline service responses to protect and support victims, while increasing the accountability of perpetrators and connecting them to responses that change their behaviour. The lead minister, the Minister for Territory Families, has done a great deal of work in this space and I would like to thank her for that, and the staff that support her in delivering that.

On 25 November 2017 the National Domestic Violence Order Scheme will commence which enables the recognition and enforcement of domestic violence orders from anywhere in Australia in the Northern Territory. In turn, domestic violence orders made in the Territory will be recognised in other states and Territories. This is a significant milestone and we are now going even further with this bill to protect victims and hold perpetrators to account. Experts who work with victims and perpetrators of domestic and family violence in the Territory and beyond have repeatedly identified information sharing as a major obstacle in providing effective responses to domestic violence.

Inquiries in other Australian jurisdictions and on a national scale have found that privacy and information laws can discourage or prevent government and non-government agencies from sharing information with terrible consequences. Tragic cases such as the death of Luke Batty, illustrate how poor information sharing can place victims and their children at serious risk, even death. The bill explicitly permits and encourages information sharing in a domestic violence context. It will assist agencies that come in to contact with victims and perpetrators to better assess risk, respond to threats and provide timely and relevant referrals to services.

By way of background, the information privacy principles under schedule 2 of the *Information Act* only allow information to be shared without consent where a person is at serious imminent risk of harm. This creates difficulties to frontline services working with victims and perpetrators of domestic violence. A key problem is that it is difficult to interpret and apply the requirement of serious and imminent risk.

For example, a victim might not be identified as being at immediate risk where they are subject to regular low level, mid-level violence or to verbal and psychological threats rather than physical harm. These forms of violence can suddenly escalate. It is common that many agencies will come in to contact with the same family and hold different pieces of the puzzle relevant to assessing the risk levels and responding to keep the victim safe.

An individual agency's knowledge of a matter may not reveal a high level of risk on its own. However, when it is considered alongside other information held by other agencies the circumstances may indicate a higher level of risk. This risk may require a more serious or urgent response. Complex legislation combined with professional cultures that discourage information sharing mean that critical information is lost leaving victims and their loved ones at risk.

Furthermore, social and legal support services for victims emphasise the importance of being able to reach victims at the earliest possible point in time. This can be difficult to achieve directly following a domestic violence incident where a victim may be in a distressed, physical or emotional state and not consider their need to be referred to essential services. For example, such as a local women's shelter or for free legal help.

The burden of providing early intervention needs to be shifted away from victims and back to those services with the expertise to provide support at critical times. These issues have already been addressed in the *Care and Protection of Children Act* part 5(1)(a) if that act takes priority over the *Information Act* regarding the capacity and duties of agencies when sharing information about children.

The part provides that an information sharing authority may give information about a child to another information sharing authority if it believes reasonably that the information relates to the safety or wellbeing of the child and would assist to make a decision, plan or assessment, conduct an investigation, provide a service or perform a function in relation to the child.

There is a need to extend similar provisions to the domestic violence context. Queensland has recently introduced comprehensive information-sharing legislation into their Domestic and Family Violence Protection Act 2012. The Queensland government's approach gives effect to the recommendations of the special task force on domestic and family violence led by the Honourable Dame Quentin Bryce.

The task force 'Not now, not ever' report recommended the enactment of information-sharing regimes including legislative protection for sharing information without needing a person's consent for the purpose of protecting the safety of victims and their immediate family.

The Victorian government has also recently introduced a comprehensive information-sharing regime in its Family Violence Protection Act 2008. This legislation was enacted in response to the recommendations by the Victorian Royal Commission into family violence. The Victorian legislation establishes an information-sharing scheme which allows specified entities to share family violence information in a timely and effective manner to prevent or reduce family violence.

It also provides a framework for consistency in family violence risk assessment and management.

The Northern Territory will follow Queensland and Victoria's lead to become the third jurisdiction to introduce a comprehensive domestic violence information-sharing regime. It will be based on the information-sharing provisions of our Care and Protection of Children Act as well as the Queensland and Victorian legislation.

This new information-sharing regime will greatly simplify decision making. It will do this by creating permissive requirements for information-sharing in a domestic and family violence context and protecting persons who share information in good faith from liability.

Most importantly it will reduce the need for victims to constantly retell their stories and facilitate coordinated and timely responses.

I will now outline the specific provisions of this bill.

The existing objects of the Domestic and Family Violence Act to keep victims safe, hold perpetrators to account and reduce and prevent domestic violence. The bill enables section three so that one of the objects is that of enabling specific entities to share information in order to first, assess and respond to threats to the life, health, safety or welfare of people because of domestic violence and second, ensure that people who fear or experience domestic violence or people who perpetrate domestic violence can be referred to appropriate services.

The bill creates a new Chapter 5A in the Domestic and Family Violence Act to deal with information sharing. Proposed Section 124B defines various words and expressions used in Chapter 5A.

The key definition in this section defines what will be an information-sharing entity for the purposes of Chapter 5A. This will include the Chief Executive Officer of the agency responsible for this chapter, which will be the Chief Executive Officer of the Department of Territory Families.

The CEOs of agencies responsible for Corrections, Child Protection, Community Services, Court Services, Disability, Education, Public Health and Youth Justice as well as any other agency that provides domestic violence-related services, the Police Commissioner, non-government school principals and persons or entities that provide a domestic violence-related service can be prescribed as information-sharing entities.

This means that non-government organisations that provide critical services to victims and perpetrators such as women's shelters, outreach services, alcohol and drug services, housing, legal services, men's shelter, women's shelter can be prescribed under this section by regulation.

Another important definition is what constitutes a domestic violence-related service. This will include any assistance or support service provided to persons who fear or experience domestic violence or by other persons affected by it such as children and other family members and friends.

The definition will also cover services that support persons who commit domestic violence.

The definition broadly includes alcohol and other drug treatment services, allied health counselling, disability, health, housing, homelessness, legal services, sexual assault services and any other relevant services.

Proposed Section 124C creates a set of principles to guide the collection, use and disclosure of information under this chapter.

Importantly this includes the principle that reasonable efforts should be made to get the consent of a person who fears or experiences domestic violence prior to sharing information but safety is paramount.

For obvious reasons it will not be necessary to seek the consent of a person who commits domestic violence in order to share information.

Consistent with the principle that safety is paramount, in disclosing information an information sharing entity should consider any adverse consequences to the safety of the person who fears or experiences domestic violence or another person. This addresses the potential risk that sharing the information might, in some instances, increase the level of danger rather than reduce it.

Proposed section 124D excludes the application of this chapter to courts and tribunals in relation to the exercise of judicial or quasi-judicial functions. This chapter is not intended to interfere with the important work of the courts in exercising judicial functions.

Proposed section 124E explains when an information sharing entity may give information to another information sharing entity.

Information can be shared when the entity that holds the information reasonably believes that a person fears or is experiencing domestic violence, and the information may help the entity to assess whether there is a serious threat to a person's life, health, safety or welfare because of domestic violence. It may also be shared to lessen or prevent a serious threat posed by domestic violence, or to arrange for a domestic violence related service to be provided.

The intention of this section is that any information sharing entity will be able to share information with another entity, whether they represent a government or non-government service. For example, a correctional service will easily be able to provide information about a perpetrator's release date from prison to a women's shelter providing assistance to the victim. This may need to occur so that her case worker can assess risk and assist her with safety planning.

In turn, the women's shelter can provide information to police, if they believe their client will be at heightened risk of danger.

The case worker might also inform housing services of the need to secure longer term housing options for her client, and communicate with legal services about providing further assistance to extend the term of her domestic violence order.

In the Territory, a broad range of government and non-government funded support services hold information that is valuable and necessary to the assessment of risk. Accordingly, both types of agencies should be able to share and receive information in relation to assessing risk and responding to violence.

Proposed section 124F provides that police may give information about a person to a domestic violence related service, if they reasonably believe that the person fears or is experiencing domestic violence and is in threat, or that a person has committed domestic violence. This includes a person's name, contact details, the basis for the belief, and any other information reasonably necessary to enable the provision of the service.

This section is aimed at simplifying processes and outcomes for both victims and perpetrators by encouraging early intervention.

There are potential risks with the provision of referrals without consent. In some instances, this may be counter-productive, because the individual needs to be willing and able to receive assistance.

Unwanted interventions could put undue resource pressures on agencies to action referrals where the client does not want the service. More seriously, there is a danger that a victim could face retribution if the perpetrator knows that they are seeking help. However, risks can be mitigated by regulations and guidelines providing for conditions that providers must comply with.

Overall, the benefit of receiving assistance outweighs potential problems, as long as the services who receive the referrals have in place adequate policies, procedures and training to manage referrals.

Proposed section 124G places limitations on information that will be shared under the regime, where the information has the potential to be prejudicial or have some other adverse effect.

This includes:

- prejudice to a legal process
- contravention of a legal professional or client privilege
- endangering a person's life or physical safety
- otherwise intervening with law enforcement activities.

Proposed section 124H creates a positive obligation to disclose information for a family violence assessment or protection purpose. This ensures that the regime is based on a duty to share information rather than relying on the goodwill of agencies.

However, the provision is aimed to encourage and improve professional cultures rather than punish individuals, and as such it does not create an offence for any failure to disclose information.

Proposed section 124J states that an information sharing entity can use information obtained under this chapter to assess whether there is a serious threat to a person's life, health, safety or welfare because of domestic violence, to lessen or prevent such a threat—including by contacting the person—or to provide assistance or a domestic violence related service. This section safeguards privacy by ensuring that information is not used for other purposes.

Section 124K provides that only persons employed, engaged or appointed by an information-sharing entity whose duties include assessing or responding to threats - including the provision of domestic violence-related services - may give, receive or use the information.

The information-sharing entity can also specifically authorise certain persons to give, receive or use information which may include persons engaged in an administrative capacity. This provision provides an important protection to privacy by limiting the number of people who will be able to give or receive information.

Section 124L makes an offence to disclose information obtained under this chapter, otherwise than for a purpose required or authorised by this chapter. The maximum penalty is 200 penalty units, which is currently \$30 800, or two years imprisonment, which is consistent with a similar offence under the *Care and Protection of Children Act*. The offence is one of strict liability, which means that the person does not need to be specifically aware that the information was acquired pursuant to the information regime established by this chapter. The offence will not apply in certain circumstances listed in section 124L(3). This ensures that the chapter does not interfere with other legitimate processes.

Under proposed section 124M police should not use information disclosed under this chapter for investigation of offence or for proceeding with an offence, without first consulting the entity that provided the information and considering whether it is in the best interest of the person experiencing domestic violence. Of course, this does not apply to the extent that the police officer is required to act urgently. The provision is intended to promote trust and collaboration between police and other services. There is no criminal penalty attached to a breach of this provision. Any incidents relating to police would be dealt with as a disciplinary matter.

Section 124N requires the CEO of the agency responsible for administration of this chapter to publish administrative guidelines. These guidelines should be practical of use and might include best practice for requesting, sharing, using, refusing to disclose and storing of information. They will be published online and by any other appropriate means necessary in order to be easily accessible. The CEO must consult with the Information Commissioner prior to making the guidelines, which is intended to ensure that relevant expertise is utilised and any concerns or suggestions as to best practice are addressed and implemented.

Section 124P introduces an important function providing functional elements that will support the regime by providing that the CEO responsible for this chapter may improve a family violence risk assessment and risk management framework. This is intended to ensure that agencies have a common understanding of risk and are able to provide consistent responses to domestic violence by using the shared framework, which will have the additional benefit of strengthening the effectiveness of integrated responses.

In order to maintain flexibility, regulations can prescribe which entities are not subject to the risk assessment and management framework. The provision supports the Family Safety Framework which identifies women and children at high risk of injury or death and ensures they receive a coordinated services response. The Family Safety Framework commenced in Alice Springs and is now operating in Darwin, Katherine, Tennant Creek, Yuendumu and Nhulunbuy.

It relies on the sharing of information between a range of agencies, including police, corrections, health, housing, women's shelters and other local service providers to maximise the safety of women and children. The proposed section 124P maximises the reach of tools that have been proven effective in the Family Safety Framework to the whole domestic violence sector.

Section 124Q includes the obligation for prescribed entities to ensure that their policies and procedures align with the approved framework, which will ensure that agencies are able to use it meaningfully.

To protect persons acting in good faith, section 124R protects those who disclose information in the exercise of a power or function as an information-sharing entity. This reflects the policy position contained in section 293F of the *Care and Protection of Children Act*.

Section 124S states that this chapter has effect, despite the operation of any other law of the Territory that contains a power obligation to give information or prohibits or restricts the disclosure of information. This means that this chapter is not constrained by other laws so long as the use of information complies with requirements of Chapter 5A. It also provides that Chapter 5A does not limit a power or obligation under another act to give information or waive privilege.

Finally, section 127 of the *Domestic and Family Violence Act* will be amended to provide that regulations may be made in relation to the compliance conditions and policies that information-sharing entities are required to have in place.

This is to ensure that prescribed entities are equipped to share and receive sensitive information and respond to information referrals appropriately and in a manner that does not place victims and their families at further risk. It might include that a provider must have in place information sharing policies and procedures that have appropriate regard to cultural sensitivities.

The regime will better enable agencies to undertake work that is an integral part of their core business in responding to domestic and family violence. It will make information sharing quicker and more efficient. We are dramatically reducing the time it takes to make and respond to information sharing requests.

This bill is a great step forward, ensuring the justice system and frontline services are responsive to the needs of domestic violence victims, promote accountability of perpetrators and are able to help families in need.

I acknowledge the Minister for Territory Families. Legislatively the responsibility sits with my portfolio in the Department of the Attorney-General and Justice, but the Minister for Territory Families is leading the government. We acknowledge the rates of domestic and family violence in the Northern Territory are far too high. They are unacceptable. This government is committed to reducing that. I am very pleased to commend this bill to honourable members.

Motion agreed to; bill read a first time.

Ms FYLES (Attorney-General and Justice): Madam Speaker, I move that the bill be referred to the Social Policy Scrutiny Committee for report by 13 March 2018.

Motion agreed to.

EVIDENCE (NATIONAL UNIFORM LEGISLATION) AMENDMENT (JOURNALIST PRIVILEGE) BILL (Serial 37)

Ms FYLES (Attorney-General and Justice): Madam Speaker, I present a bill entitled Evidence (National Uniform Legislation) Amendment (Journalist Privilege) Bill 2017. I table the explanatory statement and statement on whether the bill is compatible with human rights as defined in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

I move that the bill now be read a first time.

The primary purpose of this bill is to bring the Territory in line with other jurisdictions by creating journalist privilege, also known as journalist shield law. This government has committed to improving government transparency and accountability in the Northern Territory. It is something Territorians want us to do, and we are delivering.

To this end we have introduced legislation to create an Independent Commissioner Against Corruption to provide better protection to whistleblowers. I look forward to the debate on that bill continuing once we have these introductions, and I am hopeful it will pass the Northern Territory Legislative Assembly later today.

Today we introduce legislation which will support investigative journalism.

It has been said that the media is the fourth estate. It performs a critical function in a democracy by giving voters much of the information they need in order to make informed decisions about issues of public interest. Journalists often are the means by which government corruption becomes known. They also provide a

mechanism for the community to come together to understand each other and learn about the issues that affect us as a society. It is true that Territory publications have a reputation for featuring quirky local stories, preferably involving crocodiles, but there is a strong appetite for public interest in journalism.

People in the Territory want to know what is going on in their community and how it will affect them. We have hard-working journalists across agencies that provide this information to Territorians and this bill will support investigative journalism in the Territory by allowing journalists to legally protect the identity of confidential sources.

This will be limited only when a court decides that the interests of justice provide an overriding public interest of consideration that requires a disclosure of source. This kind of public interest balancing test is typical of a journalist privilege laws in other jurisdictions. The new law will support journalists adhering to professional ethical standards.

In Australia, many professional journalists are expected to comply with ethical standards or codes of conduct that require news reporting to be accurate, presented with reasonable fairness and balance, to disclose conflicts of interest and avoid publishing material in a way that causes substantial offence, distress or prejudice unless doing so is sufficiently in the public interest.

They are also expected to keep the identity of confidential sources private.

In other Australian jurisdictions, before journalist shield laws were enacted, journalists have been sent to prison for contempt of court for refusing to reveal their sources. Journalists from the Australian, Courier Mail and the ABC have all been imprisoned.

In 2007, two journalists from the *Herald Sun* were given hefty fines for refusing to reveal sources relating to the federal government's treatment of war veterans. As a result of such cases, journalist shield laws have been created in most Australian jurisdictions.

This bill will bring the Northern Territory in line with those jurisdictions.

In preparing this bill, the government has given careful consideration to the possibility that journalist privilege could be misused. In particular, there are concerns that the privilege provides an avenue for inflicting unfair reputational damage on other persons, such as political opponents.

Creation and publication of 'fake news' and urban myths is increasingly recognised as a social issue.

We have considered the way that other jurisdictions have sought to address these concerns by prescribing that the privilege can only be claimed by a person involved in the profession or occupation of journalism.

It is our intention to similarly limit the persons who can claim the privilege to persons who are genuinely journalists. However, this government also recognises that journalism is a profession that is currently in a state of change.

There are professional journalists that blog about important public interest issues, and full-time writers with major audiences that do not adhere to traditional ethical practices. The lines between these different kinds of reporting and who may call themselves a journalist are becoming increasingly blurred.

We also recognise that a journalist shield law must make sense and continue to make sense as technologies and communication practices evolve.

These days, news can be communicated with text, audio, video, photography, and it may not be long before it is communicated through emerging technologies like virtual or augmented reality.

News can be presented in a traditional, factual style, in a strident or tempered tone, and in a serious manner or in combination with humour or entertainment.

News encompasses not only breaking news, but also noteworthy matters of ongoing public interest.

Important public interest issues are sometimes raised by longer form publications, and not just be short pieces aimed at the daily news cycle. Whether this information is genuine public interest journalism depends on its content, and not on the form, medium, or style of its delivery.

This bill provides a journalist privilege with robust, technology-neutral definitions that support both full-time journalists and occasional freelancers, while denying the privilege to persons who do not adopt basic ethical practices of professional journalists.

In order to determine whether the privilege applies, the court is required to consider:

- whether the information in question is new or noteworthy information about a matter of public interest
- whether the journalist took steps to verify the information, where this was reasonably practicable
- whether the journalist dealt with the information in a way that minimised undue harm to a person, such as to a person's reputation
- whether the journalist used the information in a fair and accurate manner.

These factors aim to exclude protection for 'fake news', misleading information, or publications which simply repeat assertions without taking reasonable steps to verify their accuracy.

If potentially important public interest information cannot be verified, it is expected that the journalist could take steps to make the public aware that the information has come from a single source and cannot be verified, and/or to make other remarks that help to contextualise the information and qualify its accuracy.

Whether the journalist has taken these kinds of steps are matters that the court can take into account in determining whether the claim of privilege ought to be upheld.

The privilege covers both the journalist and the journalist's employer. It clarifies that a journalist may claim the privilege even if the journalist has only engaged in preparatory work and has not yet published the informant's information. It recognises that multiple persons may be involved in preparing a piece for publication, and the privilege will not be effective unless each of those persons is able to claim the privilege with respect to the information provided by the informant.

The privilege will apply to both courts and the Northern Territory Civil and Administrative Tribunal, known as the NTCAT.

There is also the ability to prescribe further bodies in relation to which the privilege will be able to be claimed. The privilege will apply in relation to information that is given by informants to journalists before the bill becomes law, but it will not apply to legal proceedings that have begun before the Act commences.

The bill also contains some miscellaneous technical amendments to the *Evidence (National Uniform Legislation) Act*.

In particular, it makes an amendment to section 160 of that Act to reflect Australia Post's current expected delivery times for postal articles.

The amendment changes the presumption that postal articles will be received within four working days to seven working days.

An equivalent amendment has been introduced into the Commonwealth Parliament already and it is anticipated that other jurisdictions that have adopted the uniform evidence legislation will follow in due course.

I commend the bill to honourable members.

Motion agreed to; bill read a first time.

Ms FYLES (Attorney-General): I move that the bill be referred to the Economic Policy Scrutiny Committee for a report by 13 March 2018. The Australia Post references at the end were confusing.

Motion agreed to.

**ADOPTION OF CHILDREN LEGISLATION AMENDMENT (EQUALITY) BILL
(Serial 39)**

Ms WAKEFIELD (Minister for Territory Families): I present a bill entitled *Adoption of Children Legislation Amendment Equality Bill 2017*, and table the explanatory statement and statement on compatibility with human rights.

I move that the bill now be read a first time.

Children hold a special place in our community and it was well-demonstrated this morning with Bees Creek Primary School singing in the Parliament, and singing a song celebrating difference. It could not have been better scripted. Thank you Madam Speaker for organising that.

I made me reflect that we should have more ukulele in Parliament.

Every child in the Northern Territory and across Australia and the world deserves a home with a family to love, support and encourage them to be happy, safe and connected to the great opportunities available in our community.

Adoption is a highly-regulated legal process. It involves birth parents giving up their right to care and be responsible for their child so that those parenting rights and responsibilities can be lawfully transferred to people wishing to become parents.

People who wish to become adoptive parents must undergo a strict process to apply and be assessed as eligible and suitable to adopt a child.

There are very few children given up for adoption due to a range of complex factors. Some of them include the increased availability of contraception and more support for single parents.

There are also more options available to offer care and stability in ways that aim to support children and families to stay together.

Most adoptions in the Northern Territory are inter-country adoptions where the child has been given up for adoption in a country outside Australia and in accordance with the international conventions like *The Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption*.

In 2016-17 there was a total of seven adoptions finalised in the Northern Territory and only one was a local adoption.

The main purpose of this bill is to amend the *Adoption of Children Act* and the *Adoption of Children Regulations* to broaden the eligibility criteria for prospective adoptive parents to include de facto and same-sex couples, and to make the act more consistent with the *Australian Sex Discrimination Act* by removing gender and biological sex-specific references.

The *Adoption of Children Act* sets out strict criteria and detailed processes required to be followed by the Northern Territory applicants for local and inter-country adoptions.

Currently the Local Court can only make an order for adoption of a child in favour of a couple where the man and the woman have been married to each other for not less than two years by the time an adoption order is made. This includes a relationship which is recognised as traditional Aboriginal marriage.

People in de facto relationships and same-sex partnerships cannot apply to adopt a child under the current act. The Northern Territory is the only Australian jurisdiction that does not recognise couples in de facto relationships and same-sex couples, including adoption of the child of a same-sex partner, as eligible to adopt a child.

De facto relationships and same-sex relationships are already recognised in other important laws in the Northern Territory. The *Law Reform (Gender, Sexuality and De Facto Relationships) Act* amended other pieces of Northern Territory legislation to recognise same-sex relationships as de facto relationships in 2003. The *Status of Children Act 1975* was amended in 2003 to recognise the non-biological parent in lesbian couples who have children through assisted reproduction, and to allow both mothers to be listed on the child's birth certificate.

In 2013, the scope of the Australian Government *Sex Discrimination Act* was widened so that it became unlawful to discriminate, not only on the basis of marital or relationship status, but also sexual orientation, gender identity and intersex status.

Territory Families is committed to removing legal barriers that currently discriminate against people on the basis of their marital status and sexual orientation, so that couples in de facto relationships and same-sex partnerships can be eligible to apply to adopt in the Northern Territory. These amendments will better reflect current social values that recognise the diversity of relationships and people in the Northern Territory.

I now turn to the main features of the bill.

Firstly, this bill includes a new definition of spouse to include a person in a de facto relationship. The definition of de facto relationship is contained in the *De Facto Relationship Act* and says that two people are in a de facto relationship if they are not married but have a marriage like relationship. The act lists relevant matters to consider in determining those relationships. Marital status and whether they are different sexes or the same sex are irrelevant to determining the de facto relationship.

This bill replaces the provision that only allows adoption by married couples to enable the court to make adoption orders for the adoption of a child in favour of two persons who are married or in a de facto relationship for not less than two years. This includes two Aboriginal people in a traditional Aboriginal marriage. There is no change to the definition of traditional Aboriginal marriage.

This will enable couples who have been in a recognised de facto relationship for not less than two years by the time an Adoption Order is made, to apply to adopt a child. The wider definition of de facto relationships includes same-sex relationships to allow adoption by same-sex couples, and adoption by the same-sex partner of the birth parent of a child.

Being a good parent does not depend on whether or not someone is married or if they are in a heterosexual relationship. The process of applying to adopt a child involves a strict assessment of that person or that couples' suitability to adopt that requires ministerial and court approval. That assessment does consider a whole range of factors like family background, relationships, health, finances, employment, motivation to adopt, home environment, other members of the household including children, lifestyle and supports and more.

This bill removes most biological sex and gender specific references such as 'man and woman' and replaces them with gender neutral terms such as 'person', 'spouse' and 'partner' to be more consistent with the Australian Government *Sex Discrimination Act*.

This bill contains limited transitional arrangements about applications made for adoption under section 17(1) of the current *Adoption of Children Act* but not yet decided, to be assessed and decided in accordance with the amending act. There is also a provision to ensure there is no confusion about the application of any provisions that deal with offences where there have been minor amendments to modernise the language in those provisions.

Finally, this bill contains amendments to modernise those provisions already being amended to remove archaic language as part of the standard practice of the Office of Parliamentary Counsel.

These amendments will recognise de facto and same-sex relationship couples as eligible to adopt and ensure equal standing to those in legally recognised marriages. This means that more couples will be eligible to adopt a child in the Northern Territory. However, it does not make any changes to the way that children become available for adoption. These changes align the Northern Territory with other Australian jurisdictions and address known non-compliance with Commonwealth legislation.

This bill will not make any changes to the existing care arrangements for children in the Northern Territory under the *Care and Protection of Children Act*. Adoption of children is not the same process, and does not directly link to our child protection system. Children involved in the child protection's out-of-home care system are not eligible for adoption. This bill does not change or impact the process of permanent care orders that can apply to children in out-of-home care and it does not remove or alter the application of the Aboriginal placement principles that relate to the care of Aboriginal children.

The Northern Territory Government is committed to broader reform of the *Adoption of Children Act* in 2019 following the review and update of the *Care and Protection of Children Act* that will consider important

recommendations made by the Royal Commission into the protection and detention of children in the Northern Territory.

Motion agreed to; bill read a first time.

Ms WAKEFIELD: Madam Speaker, I move that the bill be referred to the Social Policy Scrutiny Committee for report by the 13 March 2018.

Motion agreed to.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION BILL (Serial 30)

Continued from 21 November 2017.

Ms FYLES (Attorney-General and Justice): I sincerely thank all the members who have spoken. We spent most of Tuesday talking about this very important bill before the House. The Northern Territory's first ever Independent Commissioner Against Corruption Bill.

I will take some time this morning to acknowledge the comments made during people's speeches and try to answer some of the questions. I also note that this will go to committee stage and we have provided briefings to Independent and opposition members on the amendments coming forward. There are a number of amendments put forward by the Social Policy Scrutiny Committee as well as some typographical amendments from the department.

If a member has not had an opportunity to be briefed we can arrange that while I am summing up, or during the luncheon break as I trust this will go on after lunch.

Territorians deserve a government they can trust. A government that puts their interests first, their communities first and that puts their children first. The long-term interest of Territorians, all Territorians not just the short term interest of a few. Trust in government means ensuring that there is accountability. Governments and politicians should act in the public interest and if they do not, and instead act in favour of private interests there must be repercussions.

We heard from a number of members earlier this week. The Member for Barkly, Minister McCarthy, talked about his firsthand experience in public Territory life and what has led him to the firm belief we need an ICAC. I also thank the Member for Drysdale, Minister Lawler, for her support and emphasis on a ICACs important role in the Territory's future. The Chief Minister who spoke about driving an agenda of broad transparency and openness across our government.

The Chief Minister is absolutely correct to note that having an ICAC restores trust in government, which supports our government and his efforts to drive investment in to the Territory to create more jobs. We talk about businesses and people wanting to come to the Territory—they need to know that we have strong, stable government and decisions are made fairly. Not just because somebody knows a minister or somebody has a relationship, they need to be in the best interests of Territorians, and businesses need to know that they are operating in that environment.

That stability is so important that when I have met businesses and when you meet with defence they want that certainty, they want that respect of process. I would like to thank the Member for Wanguri, the Deputy Chief Minister, who fights for accountability at all times. At the moment she is putting up a fight around fair funding from the Commonwealth.

The Member for Katherine, who has a long standing interest in international principles of good governance, I thank her for her comments. The Member for Brennan, once again, passionately supporting the government's reform agenda. Somebody that is working so hard for the people of Palmerston and making sure that our government is on track and participating in debates, briefings and asking questions.

The Member for Braiting, Minister Wakefield, is working day in day out to deliver integrity reforms for Territory Families and, particularly in her portfolio the Seniors Recognition Scheme and the NT Concession Scheme, which is probably the Northern Territory's sadly most recent case of exploitation, and I know that there is some cases open before the court.

The Member for Casuarina, in her role as the minister for Environment—restoring trust and integrity goes right across portfolios. Territorians want to know that their environment is first and foremost not some dodgy decision that someone has made.

The Member for Johnston, similar could be said in his portfolio of primary industry. Decisions need to be made that are based on integrity and somebody that is very passionate around primary industries and right across the Territory.

I thank the Member for Fong Lim for his support and the Member for Arnhem and for their supportive comments on the bill. The Member for Namatjira, he will be back in the chair in a moment when we go into the committee stage. The Member for Port Darwin for his strong tireless work in the community.

The Member for Sanderson—we have just seen her hand down a report in to public accounts in to the taxi industry. The Member for Karama has had an enormous job with this bill, with the scrutiny committee. I spoke on Tuesday morning when that report was presented to the parliament, and again acknowledge the scrutiny committee members under the Chair of the Member for Karama.

I would like to acknowledge the other members of the House who spoke on this bill and have taken time for briefings. I know the Member for Nelson—we agreed it is 50—50 he missed a bit of parliament where I explained some things but I forgot to tell him that we had snuck seven amendments in.

Mr Wood: You also introduced the bill to set up the inquiry—does not get a mention.

Ms FYLES: This bill has been a body of work over a great deal of time. We have built on the Martin Report Recommendations and then we have had an exposure draft bill. This has been a huge body of work and it is great to see all the government members who have contributed to the debate, proud of driving this government's reform agenda.

I need to address some of the comments from the Deputy Leader of the Opposition on Tuesday. It was quite interesting when you say that this was one of the main issues that saw such a swing and change in government, and in terms of the comments and the suggestion that the CLP support an ICAC was absolutely laughable. They did not support it over the previous term of their government. The then Attorney-General fought against an ICAC. We are moving forward but it needs to be remembered the former CLP Attorney-General published an opinion piece in the *Sunday Territory* on 2 August 2015 disputing the need for an ICAC. I was surprised that they made the comments we heard earlier in the week.

In that article, he said suggesting the need for an ICAC was, sadly, people misunderstanding how systems work. The CLP Attorney-General rejected the need for an ICAC, stating that we do not need the introduction of an additional law enforcement body to investigate. So, there is clear division in this Assembly between the government and other members. We have fought to deliver an ICAC and those on the other side have stood in the way.

On whether this bill goes forward, I am very confident in the processes that have been put in place in this bill. We need to ensure that Territorians have trust in this legislation and in the ICAC. We talked through the scrutiny committee report and the 14 recommendations provided. I spoke on Tuesday morning about the workability of some of those we are accepting. The biggest point of difference between us and the opposition is in the appointment of the commissioner. I note by way of background that Commissioner Martin, in his report, noted that in any process of putting in place a commissioner, if it went to a committee there would need to be work to provide how disputes or deadlocks would be worked out.

There is also a point that the Judicial Appointments Panel process which is able to review, on the Supreme Court website recommends two candidates to a government for a vacancy on court. Using this process in the context of the Assembly could potentially have a number of ICAC commissioner candidates being brought forward. The opposition was proposing that those could be debated, lobbied and fought over in parliament. That is where we have a point of difference about what is proposed. We need to ensure that this is workable, taking it forward and putting in place a highly-esteemed commissioner.

Further legal advice to government is that the specific wording relating to the Department of Attorney-General and Justice in the recommendation is not legally permissible and would not work.

I also point out to the Assembly that the respective legislation for anti-corruption bodies in New South Wales, South Australia, Victoria, Tasmania and Queensland do not specify who must be appointed to the panel that

selects or recommends the ICAC. Some jurisdictions require in legislation that the position of a commissioner be advertised nationally. I note our government has already done this.

As I explained to the media outside the House, we are working very efficiently on putting in place the Independent Commission Against Corruption in the Northern Territory and advertisements have been placed in *The Australian Financial Review*, *Career One* linked in the *NT News* and *The Centralian*. The advertising commenced on 3 November and expressions of interest are due by December 2017.

Some jurisdictions also require in legislation that the Premier consult with the Standing Committee or the Leader of the Opposition before putting forward a name, but ultimately it is the minister who puts forward the name. Using a ministerial appointment like that would be less stringent than what we have included in our bill.

Our bill has a very strong veto power for this Assembly. Clause 112 of the bill gives our Legislative Assembly a veto power. The appointment may only be made after receiving a recommendation of the Legislative Assembly. That was where, in contrast with the committee's recommendation – with all due respect – if it was implemented, could operate so only a single committee of the Assembly could consider and make the appointment. So, potentially you could bypass this Legislative Assembly and a small committee of only five members could make that appointment. The government believes that all of the parliament should be able to speak and vote on the motion to appoint the commissioner. The appointment of a commissioner is, clearly, something that is the highest importance.

Beyond the specific issue of the clause, the strength of the ICAC's impartiality is a safeguard of this bill. The commission will be appointed for a five-year term, taking it outside political cycles. This is in accordance with the Martin recommendation.

Our bill also has the strongest restrictions in ruling out political affiliations. The provisions on eligibility comprehensively rule out anyone who is involved with, or donating to, political parties. The bill has tougher anti-political restrictions for the commissioner than anywhere else in Australia. In fact, the government's bill goes further and is tougher on the issue that was originally recommended in the Martin report.

The Deputy Opposition Leader also raised the issue of legal professional privilege. For the benefit of all members, I will say that the recommendation of Commissioner Martin was that legal professional privilege be maintained. The bill maintains legal professional privilege as it currently exists in the Territory.

In relation to the Deputy Opposition Leader's comments regarding funding for the ICAC, I found that disappointing. We committed \$3m for this financial year, noting that if this legislation passes the House today there is consequential legislation that will hopefully pass in February. We have started the expressions of interest process, but we have said publicly that the commission would be in place early to mid-next year ending in the third quarter and going into the fourth.

Three million is enough to get the ICAC up and running. There has been a commitment from the government that the budget will be available. The Commissioner for Public Interest Disclosures—the closest thing we have to an anti-corruption watchdog—gets less than \$1m per year. We are stepping that up with a significant budget for this financial year. Once the commission is in place, if it needs money we will make sure it has that provision. That shows the government's intent by providing \$3m for an ICAC before we even had the legislation in place.

The ICAC will have the power to make own motion public statements and own motions reports, which is very important.

The Member for Nelson and I have spoken already, and this morning he had a briefing in my office. He was not in the Chamber on Tuesday morning—with all due respect, as he was at an important community event, so that should not be interpreted as me having a go at that—but he missed the opportunity I had to explain where the government stood with the committee recommendations.

The committee put forward a number of recommendations. We accepted, in principle, 11 of them and actioned nine of them. A couple of them were not legislative action items. I will not repeat my comments as I have spoken to the Member for Nelson. In the consideration of detail stage, if there are questions still outstanding, I am sure he will raise those.

Commissioner Martin recommended that the first commissioner be Bruce Lander, who is the SA commissioner—and will be part-time. We did not agree with that. We have been clear and open on that for

more than 18 months. We felt the Northern Territory needed its own commissioner, and we need it to be based full-time in the Territory. That was the recommendation we did not accept.

We are working to get the ICAC in place. The government is satisfied that it has a fair and transparent process—the original Martin proposal of using a part-time SA commissioner.

Madam Speaker, I note your comments on Tuesday. The government has taken a different view to that recommendation, with all due respect. The government is satisfied that the doctrine of parliamentary privilege is satisfactorily recognised and protected by clause 82. We felt it very important that this ICAC has the ability to look at everything, that it is open with Territorians and that it would refer a matter back to a government agency—or find no investigation. That ICAC should have broad-reaching powers, and that should extend to every member of this Assembly.

The bill represents that our government is delivering on a commitment to Territorians to restore trust and integrity. The bill creates an independent commissioner against corruption, led by an independent commissioner—the new anti-corruption watchdog for the Northern Territory.

Clause 3 notes the objects of the bill, carrying out that the ultimate goals of the ICAC are to prevent or minimise the misuse or occurrence of improper conduct; improve public confidence that improper conduct will be detected and dealt with appropriately; encourage the reporting of improper conduct and encourage people to assist the ICAC; protect persons who report improper conduct with whistleblower protections; and augment the Territory's existing framework for responding to improper conduct.

The bill will give the ICAC very strong powers and a wide jurisdiction so it can achieve these goals. The ICAC can investigate anyone who works for the NT Public Sector. This not only includes public servants but judges, police, statutory officers, contract service providers, grant recipients to the extent that they are involved in carrying out public sector functions or handing out public money, and politicians. We make it clear that we will be held to account by this ICAC just the same as anyone else who deals with or receives Territory taxpayer dollars.

The ICAC will focus on addressing the most serious corruption in the Northern Territory public sector.

The direction of the ICAC is set out in Clause 18 of the bill. Clause 18 (2) provides that the ICAC is expected to focus primarily on matters involving corrupt conduct and serious anti-democratic conduct.

Further, Clause 18 (3) sets out the intention that the ICAC should refer matters that are not its primary focus to another appropriate entity unless there is good reason for it to deal with the matter.

In Clause 9 members can see that improper conduct is the overarching term to describe conduct that can be investigated by the ICAC.

Improper conduct is composed of different elements each of which is further defined in the bill including corrupt conduct defined further at Clause 10, misconduct defined further at Clause 11, unsatisfactory conduct defined further at Clause 12 and anti-democratic conduct defined further at Clause 15.

A fifth type of improper conduct is conduct that amounts to an offence provided by this bill. An important provision is found in Clause 20 which specifies that an ICAC must consider the public interest and requires it to consider a framework of relevant considerations, detailed in Schedule One of the bill.

Whether to investigate a case will be a matter for the ICAC. The bill protects ICAC decision-making through Clauses 21, and 63 which emphasises discretion to determine which matters are pursued, prioritised, investigated or referred and not to be subject to external control or review unless the ICAC acts outside of its statutory powers.

Clause 31 sets out the test for when the ICAC can investigate. In essence the test is whether the ICAC is aware of information which, if true would tend to show improper conduct has occurred, is occurring or is at risk of occurring.

The test is broad-framed to avoid the ICAC needing to make premature decisions as to the credibility of sources as such judgements may be difficult to make before a matter is investigated.

Once the ICAC has made the decision to investigate this bill provides the ICAC strong powers to:

- investigate improper conduct including through entry, search, seizure powers without warrant to public premises at Clause 65
- require production of statements, documents or other things at Clauses 70, 73 and 74
- obtain search warrants in respect of private or residential premises at Clauses 67 and 68
- require attendance at a hearing or giving of evidence under oath or affirmation with appropriate sanctions for non-compliance and contempt at Clauses 34, 41, 145, 146, 147 and 150
- second staff from other agencies, employ investigators and delegate powers at Clauses 122 to 124 and 130
- require a public body to refrain from taking action in relation to a particular matter under investigation or to conduct a joint investigation at Clauses 25 to 30, 38 and 76
- exercise powers of inquiry similar to the Ombudsman-a recommendation that has been implemented by giving the ICAC the equivalent investigation and reporting powers
- commence an investigation notwithstanding the existence of other investigations at Clause 31 in Schedule 1
- direct and guide a public body regarding a referral at Clause 28
- refer a report concerning a member of the Legislative Assembly to the Speaker at Clause 25
- evaluate practice, policies and procedures of a public body and report to the Legislative Assembly with recommendations at Clause 18, 23, 47, 48, 55, 57, 109 and 110
- request or recommend that a person be granted indemnity from prosecution at Clause 25 5(b) ii
- to issue seizure retention orders at Clauses 71 to 72, 74 and 155
- apply to the Supreme Court for injunctions to restrain certain conduct at Clauses 62 and 102
- apply to the Supreme Court for an order that a person's passport be delivered to the Commissioner at Clause 61
- apply to dispose of seized property at Clause 155
- enlist the services of police personnel to assist in the conduct of investigations and provide security at Clauses 111, 122, 123, 124, 130
- convey information to law enforcement agencies concerning proceeds of crime at clauses 19, 25, 50 and 81.

In addition, the ICAC will have the power to seek warrants under surveillance and telecommunications interception legislation as well as to conduct unlawful activities and assume false identities.

These further powers are provided by means of the ICAC (Consequential and Related Amendments) Bill introduced in the October 2017 sittings, which the Assembly will consider separately at our next parliamentary sittings and I have made reference to that numerous times.

The whistleblower protection scheme from the *Public Interest Disclosure Act* is continued in this bill with some changes to strengthen the scheme and clarify lines of responsibility. I will take a moment to look at the key changes.

Whistleblowers can now be protected if they make their complaints to a range of other independent bodies, for example, to the Ombudsman and the ICAC. The ICAC has the power to direct a public body to take action to protect the whistleblower without obtaining a Supreme Court order. The ICAC can determine, at an early stage, to classify someone as a whistleblower, even if there are technical errors in the way they made the disclosure.

There is a variation of the retaliation offence which places the onus on a supervisor to establish that action taken against whistleblower in relation to employment was taken for appropriate reasons. When a whistleblower brings a claim of compensation for retaliation, costs can only be awarded against the whistleblower if the claim was vexatious or unreasonable.

The ICAC's remit is retrospective in the sense that they can investigate improper conduct that occurred before the legislation commences. There is no time limit on how far back the ICAC can look. However, the ICAC has broad discretion as to how it prioritises its investigations and it is likely that the ICAC would prioritise matters it considers to have sufficient current relevance.

This bill is retrospectively available for use. As I have said, it could be like an onion, you start to look at one issue and as you unpeel it, the layers peel away and more and more issues become apparent.

People have been anxious for this bill to be put in place in the Northern Territory, but it was important that we took the time to get the legislation right, that it was strong and would stand up in a test of court. That is what we have delivered but it has that retrospective power, so it can go right back and look at the appropriation of government funds.

The bill provides that an ICAC should investigate a matter in private, unless the ICAC was satisfied that it was in the public interest to conduct a public inquiry. Clauses 20 and item 5 of schedule 1 of the bill have detail there.

Public hearings are not often the most appropriate way to preserve evidence or protect the integrity of a future prosecution. They can be a powerful tool for raising public awareness of an issue, but due to the potential negative effects with respect to harming potential prosecutions, the bill takes the approach that a public hearing is not a tool the ICAC should use lightly.

The bill provides the factors that the ICAC must take into account when determining whether to conduct a public inquiry. They include:

- the desirability of the public sector being open and accountable to the public
- the benefit of exposing improper conduct to public scrutiny
- the extent to which allegations of improper conduct are already in the public domain
- the extent to which allegations of improper conduct raise issues of continuing public interest
- the risk a person may suffer undue hardship including undue prejudice to the person's reputation
- the needs of identifying persons who have assisted in investigating improper conduct and particularly in the need to protect information that may identify those person
- views expressed by persons who be affected by a decision whether to handle a matter in public or private
- the educational value and benefit to research and policy development of sharing details of matters about which the ICAC has particular knowledge.

The bill also provides for the appointment of an inspector, a statutory role tasked with overseeing the ICAC, particularly to ensure the ICAC is acting within powers.

The inspector can also receive and instigate complaints about the ICAC. The process for the appointment of the commissioner is also set out in this bill and has been of much debate. Clause 112 requires that the commissioner can only be appointed after the appointee has been scrutinised and recommended by the Legislative Assembly. The selection criteria for the commissioner is extremely tough, as I have outlined.

Restrictions on political affiliation are the most comprehensive restrictions in legislation of this kind anywhere in Australia. It is important to note that we have taken the strongest stance of any ICAC legislation.

The bill also required the ICAC to establish a mandatory reporting scheme for public officers. It also requires the ICAC to establish best-practice guidelines for public bodies to protect whistleblowers and to publish guidelines setting out how the ICAC operates and conducts its investigations.

Further to the ICAC's role, clause 18 also reflects that while conducting investigations that will inform a substantial part of the ICAC's functions conducting investigations is not an end to itself. The ICAC is able to gather intelligence and deliver education and training audits or review practices, policies and procedures, and make recommendations and give advice, make public comment and refer matters as required.

To deal with potential conflicts of interest, clause 118 provides that there is the capacity for an acting ICAC to be appointed to handle a particular investigation if a conflict of interest arises. There would most likely be a person interstate where this would be appropriate.

More generally, the ICAC's choice of staff would be a matter for the ICAC. The ICAC has comprehensive powers at clause 125 to perform background checks on staff and prospective staff to ensure integrity and independence of the ICAC's role is protected.

The bill repeals the *Public Interest Disclosure Act* and the ICAC replaces the Commissioner for Public Interest Disclosures. The ICAC will take over the Public Interest Disclosure Commissioner's ongoing investigations and whistleblower protection functions when the legislation commences, as well as inheriting files.

As I conclude, it is important for me to acknowledge the tremendous work of the Department of the Attorney-General and Justice's Legal Policy team. The Member for Araluen also acknowledges that work.

I thank Caroline Heske for the many hours she has devoted to this matter. We do not like to single people out. The public service is very much a team environment, but Caroline's hours of devotion to this—we started with the Martin report, accepting 50 of the 52 recommendations. We had an exposure draft bill with public consultations across the Territory. They were held in the rural areas of Darwin as well as all the regions. Caroline's team drove this.

The bill before parliament has been through the scrutiny committee process. Caroline also provided many responses and worked with the committee so it could fully understand the bill.

Mr KIRBY: A point of order, Madam Speaker! I request an extension of time for the member, pursuant to Standing Order 43.

Motion agreed to.

Ms FYLES: It would be fair to say this is the most consulted bills in the Legislative Assembly's history. It was based on a report that was undertaken with a huge amount of detail. The exposure draft bill is quite rare for the Assembly to use.

The consultation in Alice Springs, Katherine, Tennant Creek, Darwin, Palmerston and the rural area invited comments from government agencies, stakeholders, experts and individuals. That process occurred, and then once we had the bill it was referred to the Social Policy Scrutiny Committee for an inquiry. The committee held public hearings and we saw experts from within NTG agencies.

We had anti-corruption commissioners from other states such as SA, Queensland and Tasmania. We had the Ombudsman, the Commissioner for Public Employment and the Commissioner for Public Interest Disclosures make appearances. We had a huge level of details. Right through the process the agency staff, led by Caroline, have been looking at the recommendations, what has been discussed and providing responses.

I also thank Director Robert Bradshaw, who has worked on this matter throughout its development.

I also thank Parliamentary Counsel, which has made a government policy a reality through this legislation. We had the body of work with the report, strong commitment from the government and the Chief Minister to put in place an ICAC, but it is Parliamentary Counsel staff who draft that and make the legislation possible. Right through the process, they were providing staff about possible amendments and have drafted the amendments we have circulated in the House which we will talk about in the committee stage.

I want to go back to the recommendations from the scrutiny committee. No 2 was one the government did not accept. We did not believe there was ambiguity in the word 'illegality'. That was advice from the Department of Attorney-General and Justice and Parliamentary Counsel. That was a recommendation we did not accept.

We accepted a number of recommendations. Some of those recommendations were adopted and have been drafted as amendments. Others will follow in the consequential stages. Some are recommendations that are accepted in-principle ...

DISTINGUISHED VISITORS

Madam SPEAKER: Please pause, minister.

Honourable members, I welcome some people in the gallery. On my left-hand side we have the Consul General of Portugal, Paulo Guedes Domingues and also Oscar da Cruz Nunes who is the Honorary Consul in Darwin for Portugal. Welcome to Parliament House.

Members: Hear, hear!

Ms FYLES: I know the Member for Katherine is very excited you are here today and we warmly welcome you to our Assembly and hope you enjoy your time listening to our debate.

In the final minutes I have, I will talk about the recommendations from the scrutiny committee that we did not accept. You took the time to contribute to debate, Madam Speaker. With all due respect, the government felt very strongly that this ICAC should be able to investigate everyone in the Northern Territory government and public service and people spending taxpayer dollars. That includes judges, public servants, police, local councils, contract service organisations and members of parliament. We need to ensure the public has confidence everyone will be investigated and every matter will be looked at.

I understand where the scrutiny committee came from with this recommendation. We felt that the ICAC should be the body. Everyone can make referrals to the ICAC and if they feel it should go to another government agency or it was a matter for parliamentary privilege, it should be referred to that by the ICAC – not for us, as politicians, to be ruling ourselves out of one element of the ICAC. That was one of the recommendations we did not accept.

The other recommendation was about the measure to appoint the ICAC commissioner. I want to clarify. I have spoken about it in the House and outside to local media. The process we put in place for appointing the commissioner is important because we need to ensure we do not have legal confusion. There were choice of words in the recommendation about the Department of Attorney-General and Justice.

The Department of Attorney-General and Justice is an entity which exists by virtue of the Administrative Arrangement Orders. We wanted to ensure we had clarity, so the appointment of the commissioner for the ICAC will be set up by the independent panel which comprises the Chief Executive of the Department of Attorney-General and Justice, the Solicitor-General for the Northern Territory and a retired Supreme Court judge or equivalent. It will be an independent panel and they will take the applications, go through the vetting process and make recommendations to Cabinet. Cabinet will then suggest a name to the Legislative Assembly. There will be a motion before the House and in turn, we will advise the Administrator.

There was talk in the select committee's recommendation that those recommendations in that process would come to a committee of the Assembly. You could potentially bypass the Assembly and five members could choose a name. If you had two names and two committee members each backed one and someone did not want to choose either, you could potentially be at loggerheads.

The calibre of the person we need to be our ICAC commissioner needs to know it is a highly confidential process with the Solicitor-General, the Chief Executive and another member of that committee going in to the Cabinet process, that is very much respected and there is confidence for them.

It might be an assistant commissioner from another state and if they are not successful in the position in the Territory they will continue working for their commission. We cannot have any grey areas where that person could potentially be exposed by coming in to that process. That committee could send that to the Administrator without it even coming before the House. To clarify, the process for judicial appointments following this same process. It works, it provides confidence for those high calibre applicants that want to know that there is discretion around their appointment.

We thank the committee for the work that they took. We accepted, I think, 11 recommendations from them and you can see that strengthens our bill. I went through on Tuesday morning when that report was

presented—the detail around the 11 recommendations—but I want to clarify before the House today why the government did not accept that recommendation, why are sticking with the recommendation in the bill that has been drafted around choosing that person for the commissioner.

I thank everybody for participating in this debate. I know that it is not over yet. We have the committee stage to go through but it is a very exciting day in the Northern Territory that we are in the final stages of putting in place independent commissioner against corruption so that Territorians can have trust that decisions that are made in the Northern Territory are made by members of parliament, our Chief Minister, chief executives to government departments, procurement decisions—that all these decisions are made in the best long term interest of Territorians.

I know you are a person of integrity. I know my parliamentary colleagues in here respect to cross political persuasions, but sadly the chaos that we have seen, dysfunction, comments from the former Treasurer that he was—I cannot quite remember the exact comment—but he was a very busy person and money opened doors—is just not appropriate.

Territorians need to have absolute confidence that it does not matter who you are your interests will be upheld in the Northern Territory that when we are making those decisions they are in the interests of everybody not just those who are perceived as powerful with access to politicians. If it is a good idea, a good project and good application it should be considered as such not with undue influence because people are connected and know people or potentially have money.

I am very proud on behalf of the government, a government that is putting Territorians and our communities first, making sure that decisions are made, putting that trust and accountability back in to government through this bill today. I thank everybody for their contribution in debate, all the work that has gone in to it and I look forward to the committee stage and then the passing of this piece of legislation—a first for the Northern Territory with and independent commissioner against corruption.

Motion agreed to; bill read a second time.

Assembly suspended.

LEAVE OF ABSENCE Member for Fong Lim

Ms FYLES (Leader of Government Business): Mr Deputy Speaker, pursuant to Standing Order 224, I seek a leave of absence for the Member for Fong Lim. He is representing the Treasurer at a Ministerial Council meeting interstate and travelling there today.

Leave granted.

PETITIONS Animal Cruelty

Ms PURICK (Goyder): Mr Deputy Speaker, I present a petition from 775 petitioners praying that the Northern Territory government takes heed of community outrage when animals are deliberately and maliciously harmed, injured or killed. The petition bears the Clerk's certificated that it conforms to the requirements of standing orders.

Mr Deputy Speaker, I move that the petition be read.

Motion agreed to; petition read.

Pearl the Pony

Ms PURICK (Goyder)(by leave): Mr Deputy Speaker, I present a petition not conforming with standing orders from 36 209 electronic petitioners demanding justice for the Pearl the Pony.

Mr Deputy Speaker, I move that the petition be read.

Motion agreed to; petition read.

Magpie Goose Count

Mrs FINOCCHIARO (Spillett): Mr Deputy Speaker, I present a petition from 634 petitioners praying that the Northern Territory government immediately:

- Do a Dry Season count of the magpie goose population and if it shows the numbers have increased over one million, instigate a five-goose bag limit this hunting season
- From 2018 return to an adaptive management system of 17-week hunting seasons and a 10-goose bag limit for a minimum of five consecutive years to assess the harvest rate, sustainability of hunting and resilience of the magpie goose population in the Northern Territory.

The petition bears the Clerk's certificate that it conforms with the requirements of standing orders.

Mr Deputy Speaker, I move that the petition be read.

Motion agreed to; petition read:

We ask the Legislative Assembly to immediately do a Dry Season count of the magpie goose population and if it shows the numbers have increased over one million, instigate a five-goose bag limit this hunting season; from 2018 return to an adaptive management system of 17-week hunting seasons and a 10-goose bag limit for a minimum of five consecutive years.

Future of Rugby League in the Territory

Mr HIGGINS (Daly)(by leave): Mr Deputy Speaker, I present a petition not conforming with standing orders from 1174 petitioners praying that the Northern Territory government will enter into meaningful discussions with the rugby league community concerning the future of rugby league in the Territory.

Mr Deputy Speaker, I move that the petition be read.

Motion agreed to; petition read:

We the undersigned respectfully showeth whereas the Northern Territory intends to redevelop Warren Park in part for rugby league, it is not supported by the wider rugby league community.

Our petitioners pray that the Northern Territory government enter into meaningful discussions with the Northern Territory league community to develop a suitable outcome.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION BILL 2017 (Serial 30)

Continued from earlier this day.

Consideration in Detail

Clauses 1 to 3 taken together and agreed to.

Clause 4:

Ms FYLES: I move an amendment 5.1 that clause four be amended by inserting new definitions of irrelevant criminal record and political opinion, affiliation or activity. These definitions were contained in clause 125 as they were previously used only in clause 125. This is a technical amendment by nature.

Clause 125 authorises the ICAC to conduct a range of background checks on staff and potential staff.

Amendment 5.14 is intended to give the inspector or an equivalent power to conduct background checks on the inspector's staff. Consequently, these two definitions have been moved to clause four rather than being repeated in two separate sections.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 17 taken together and agreed to.

Clause 18:

Ms FYLES: I move amendment 5.2 to clause 18. That clause 18 be amended to replace references to referrals to another entity with a referral entity. This amendment implement implements part of recommendation three of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry in to the Independent Commissioner Against Corruption Bill 2017. This amendment improves consistency and clarity. The term referral entity is defined in clause four and refers to the specifics persons and bodies identified in clause 25.

Later, I will move amendment 5.18 which will implement the remainder of recommendation three and I thank the committee for their recommendation and we have reflected that with the amendment.

Amendment agreed to.

Ms FYLES: I move amendment 5.3 that clause 18(3)(b) be amended to replace the words 'to deal with', not 'not to refer'. This is a technical amendment which does not change or alter the substance of the clause, it is a small improvement to the current working which was a little informal.

The amendment ensures we align the bill with recommendation 30 of Commissioner Martin's report, which states that the ICAC should process a wide and unfettered discretion to accept or reject a complaint or report and cease an investigation and either dismiss the complaint or report or refer it to an agency.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 45 taken together and agreed to.

Ms FYLES: I move amendment 5.4 that clause 46 be amended to insert numbered subsections. This is a typographical amendment.

Amendment agreed to.

Ms FYLES: I move amendment 5.5 to clause 46. I move this amendment that clause 46 be amended so that the note for this clause correctly refers to the new numbered subsections. This is a typographical amendment.

Amendment agreed to.

Ms FYLES: I move amendment 5.6 that clause 46 be amended to insert a second subsection that gives a persons a right to have request for a matter to be heard within private, dealt with in private, subject to giving the ICAC the discretion to refuse the request in the limited circumstances that the ICAC has reason to believe the request is vexatious or without merit.

This amendment aligns closely with recommendation 5 of the recommendations made by the scrutiny committee as a result of its inquiry into the bill. However, it also ensures that the ICAC has the ability to deal with persons or witnesses who may attempt to use the right obstructively or vexatiously.

Amendment agreed to.

Ms FYLES: I move amendment 5.7 to clause 46 creating a new clause 46A. I move this amendment 5.7 that the new clause 46A be inserted to require the ICAC to inform witnesses of their rights before being questioned at a public inquiry. This amendment supports recommendation 5 of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry into the ICAC bill.

The provision has been drafted with the aim of alerting witnesses to their rights in a manner that it not overly technical so as to best ensure the witnesses will be able to understand and use this information.

The amendment will ensure the ICAC highlights to the witness a range of topics which may cause the witness to request a direction enabling the witness to trigger the private discussion of the issues without needing to have an appreciation of the precise wording and meaning of other sections.

The amendment specifically details with requests under clause 46(1)(a), being a request to hear answers in private, as it is important for this option to be known to witnesses before answering questions. It does not deal with non-publication orders, because in practise, a non-publication order would be an alternative result to concerns raised in a request under section 46(1)(a) or at least a matter that can still be raised after an answer is given.

Amendment agreed to.

Clause 46, as amended, agreed to.

Clauses 46 to 48 taken together and agreed to.

Clause 49:

Ms FYLES: Mr Deputy Speaker, I move amendment 5.8 that clause 49 be amended to insert new subsections (2)(a), (2)(b) and (2)(c) to ensure that the ICAC has a broad power to make all relevant findings in an investigation report. Similarly, to the ICAC's powers in relation to make findings in relation to a public inquiry under section 51.

This amendment implements Recommendation 6 of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry into the Independent Commission Against Corruption Bill 2017. It will ensure the provisions of the bill are consistent and avoid unnecessary legal challenges.

Amendment agreed to.

Clause 49, as amended, agreed to.

Clauses 50 to 66, by leave, taken together and agreed to.

Clause 67:

Ms FYLES: Mr Deputy Speaker, I move amendment 5.9 that clause 67 be amended to replace references to 'Justice of the Peace' with 'judicial officer'. This amendment implements Recommendation 7 of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry into the Independent Commission Against Corruption Bill 2017.

'Judicial officer' is defined in clause 4 of the bill to mean judge of the Supreme Court or the Local Court. It will restrict the ICAC to seeking search warrants only from judicial officers.

Amendment agreed to.

Clause 67, as amended, agreed to.

Clause 68:

Ms FYLES: Mr Deputy Speaker, I move amendment 5.10 that clause 68 be similarly amended to replace references to 'Justice of the Peace' with 'judicial officer'. This amendment is related to and made for the same reasons as amendment 5.9, being implementation of Recommendation 7 of the recommendations made by the Social Policy Scrutiny Committee.

Clause 68 deals with search warrants obtained by telephone or by other electronic means.

Mr WOOD: Mr Deputy Speaker, just a clarification. The committee asked for clause 68(4)(a) to be included. I did not see it in your amendments. Was there a reason for that being left out?

Ms FYLES: We apologise, Member for Nelson. We have a technical error. Would we be able to include that change as well? It is another reference to Justices of the Peace that we need to change with judicial officer. Can we get that amendment circulated?

Thank you, Member for Nelson. It was a technical oversight. Just to explain to members and those listening, in a number of cases we are changing 'justice of peace' to 'judicial officer'. One was missed. We apologise and will draft a quick amendment to change that.

Mr DEPUTY SPEAKER: In the interest of time we will come back to Clause 68. We can proceed while that is being drafted.

Clauses 69 to 79 taken together and agreed to.

Ms FYLES: Mr Deputy Speaker, I move amendment 5.11, that Clause 8 is amended to remove the words 'facing criminal proceedings for' as these are redundant and potentially create ambiguity. This amendment implements Recommendation 8 of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry into the Independent Commissioner Against Corruption Bill 2017.

At the stage when a witness is charged with an offence the witness is by definition 'facing criminal proceedings'.

Clause 80, as amended, agreed to.

Clauses 81 to 111 taken together and agreed to.

Clause 112:

Mrs FINOCCHIARO: Section 112 has three subsections relating to appointment of ICAC, the Commissioner. Can the Attorney-General take us through the process?

Subclause 1 says the Administrator may appoint an eligible person to be the ICAC. How would the Administrator do that?

Ms FYLES: Mr Deputy Speaker, I have clarified this in acknowledging the Scrutiny Committee's Report and explaining which recommendations we would and would not accept. I have also clarified it in my closing remarks.

The process of appointment of an ICAC under the legislation before us is that an independent panel of the Solicitor-General for the Northern Territory, the Chief Executive of the Department of Attorney-General and Justice and a former Supreme Court Judge form a panel; applications are called for; that panel makes a recommendation or recommendations to the Cabinet; that is then brought in to the Assembly by way of motion; that motion is debated by the Assembly; and a recommendation is made to the Administrator.

Mrs FINOCCHIARO: Is that a strict following of the following of the protocol for judicial appointments, or a departure from it? Judicial appointments would mean that the panel makes a recommendation to the Attorney-General.

Ms FYLES: The Attorney-General takes that to Cabinet. They make a recommendation and take it to Cabinet.

Mrs FINOCCHIARO: And Cabinet overrides the decision of the advisory panel?

Ms FYLES: Cabinet would not override it; it would potentially reject the recommendation. The independent panel would then put forward another recommendation or recommendations through the same process.

Mrs FINOCCHIARO: Can Cabinet pick their own person?

Ms FYLES: Cabinet cannot just pick their own person. The person has to be eligible and the panel calls for expressions of interest. They then go through the vetting process and provide a name or names to the Attorney-General to take to Cabinet. Cabinet then makes that decision as per the judicial process and that brings the motion to the Assembly.

Mrs FINOCCHIARO: The Attorney-General or the Cabinet could not reject a recommendation from the panel and appoint their own ICAC commissioner as long as they meet all the other relevant criteria?

Ms FYLES: No, the Cabinet cannot appoint their own commissioner.

Mrs FINOCCHIARO: Full stop?

Ms FYLES: I have clearly outlined the process, which you would be familiar with. I am not sure how many ways I can say it, but there is a clear, independent process in place to appoint the commissioner for the ICAC.

Mrs FINOCCHIARO: The reason I ask, with respect, is that clause 16 says, 'If Cabinet proposes to appoint a person not recommended by the advisory panel, that proposal should be referred to the advisory panel,' et cetera.

It is not absolute. That is why I am asking for your commitment as the Attorney-General. If an ICAC commissioner is brought to you and the Cabinet, and Cabinet makes the decision not to appoint the person that is recommended, then Cabinet ...

Ms FYLES: Clause 16 of what?

Mrs FINOCCHIARO: The protocol for judicial appointments and appointments of President or Deputy President of the Northern Territory Civil and Administrative Tribunal, paragraph 16.

And 18—if Cabinet departs from this protocol that departure will be made public so it is clear that departure will be made public. It is clear that a departure from the protocol for the appointment of judges is permissible under this protocol. I am seeking your commitment that Cabinet will not indulge in the same abilities—the appointment of the ICAC commissioner.

Ms FYLES: No.

Mrs FINOCCHIARO: Can you say that as a sentence?

Ms FYLES: I have answered the question.

Mrs FINOCCHIARO: I will ask again. Will the Attorney-General or the Cabinet, in rejecting a proposed ICAC commissioner put forward by its advisory panel, never appoint its own ICAC commissioner outside of recommendations made by the advisory panel?

Ms FYLES: The bill we have before us today clearly outlines an independent process. That is what the government has committed to and what we are discussing today.

Mrs FINOCCHIARO: With respect, the bill does not. The bill has three short subclauses at clause 112. It says the Administrator may appoint an eligible person for the ICAC. The appointment may be made only after receiving a recommendation of the Legislative Assembly. The third is that the ICAC minister must table a copy of that appointment in this parliament.

You have outlined that the process for determining how an ICAC commissioner will be appointed is pursuant to this document, which is not legislated and can change from time to time. My understanding is the Attorney-General is able to change that protocol, as it has recently been changed. Under this protocol, which is for the appointment of judges and the president or deputy president of NT CAT, the Cabinet has the power to appoint its own person who has not been proposed by its advisory panel.

I am seeking clarification. Are you exactly following this protocol as it is today, or are you ruling out that Cabinet or you will be in a position to reject the person proposed by the advisory panel and put in your own ICAC commissioner, as long as they meet all the other criteria?

Ms FYLES: We have clearly outlined the process. That legislation comes into this House as a motion, so Territorians have confidence that a person being appointed to uphold this strong legislation is genuinely independent and does not have vested interest. It comes back into this House as a motion of the House.

Mrs FINOCCHIARO: But the process is not enshrined in the legislation. So, even if you were to follow this document or not, as Attorney-General you are able to change that document. It is not clear to Territorians how a commissioner can be appointed. If the answer is there is ability for the Cabinet to appoint its own ICAC, then, minister, that is your answer.

You are either ...

Ms FYLES: Mr Deputy Speaker, I have answered the question very clearly. The Deputy Leader of the Opposition is now making assumptions. We have a clear process of the independence. It comes to this House by way of motion, so everything is open and transparent and can be debated on the floor of this Assembly.

Mrs FINOCCHIARO: So, you are committing that once Cabinet either agree to the person picked by the advisory panel or the person Cabinet has picked – because Cabinet has the ability ...

Ms FYLES: No, that is incorrect. There is not an ability for Cabinet to pick a person. There is a clear process. We are following the judicial appointments where an independent panel of three highly-esteemed legal representatives in the Northern Territory call for expressions of interest. They nominate a person or persons to the Cabinet and then that is brought in here by way of motion for the Legislative Assembly to debate. It is clear for everyone to see the process and the person we are appointing as our commissioner.

Mr DEPUTY SPEAKER: Deputy Leader of the Opposition, do you have any questions relating to other areas of clause 112?

Mrs FINOCCHIARO: I do, thank you, Mr Deputy Speaker. I am pleased to hear that the recommendation will be brought to the Assembly for debate. That was something we needed to seek clarity on. I have further questions in relation to that.

But I draw the minister's attention to paragraph 17:

If the Attorney-General departs from this protocol, the Attorney-General will inform the Cabinet of that departure and of its nature.

There is, in and of itself, an ability within your protocol ...

Ms FYLES: A point of order, Mr Deputy Speaker! We have clearly outlined the process. There is nothing new in the question from the Deputy Leader of the Opposition.

I also make the point that she has moved away from the bill.

Mrs FINOCCHIARO: Because the appointment of the ICAC is not in the bill.

Ms FYLES: You know you are incorrect.

Mr DEPUTY SPEAKER: Order! Resume your seats, please.

Mr WOOD: Attorney-General, as I read this – I also read the committee recommendations and the explanatory notes on the appointment of ICAC. I am a bit confused how the explanatory notes fit exactly with what you have here.

I will read the explanatory notes.

Clause 112: This clause provides for the appointment of the ICAC by the Administrator.

We have that in Clause One.

A person is appointed as ICAC following a recommendation of the Legislative Assembly.

That should be Number Three because that seems to me to be the last bit.

It is anticipated that appointment of the ICAC will follow the same protocol as appointment of a judicial officer.

I have not read anything about a judicial officer in this. It says that the appointment may be made only after receiving a recommendation of the Legislative Assembly. It is not clear for a lay person how this works.

It is anticipated that appointment of the ICAC will follow the same protocol as appointment of a judicial officer where an appropriately-qualified independent panel considers and puts forward a

recommendation of a suitable candidate which the majority of the Legislative Assembly must then approve.

My problem is that I do not see where Cabinet comes into that. It does not tell me that Cabinet has to be involved at all. If I was to read it as I see it, there is a judicial panel, or an appropriately-qualified panel which looks at a whole list of people who might be the ICAC and they put forward a proposal for the Legislative Assembly.

Then it says:

The Martin Report recommended the ICAC be appointed by a panel such as a judicial appointments panel making recommendations to a bipartisan standing committee of the Assembly ...

There is no note of any standing committee of the Assembly.

... whether such a committee is created is a matter for the Assembly.

This clause means that the Legislative Assembly must at least consider and vote for any proposed appointee. The appointee cannot simply be chosen by Cabinet without the assent of the Assembly.

I am confused as to the process. To me I would rather it did not go through.

We have an independent panel. It takes all the nominees, could put one, two or three nominees back to the Legislative Assembly, which could then debate each of the nominees and vote. You could use so we do not have too much party influence you could use Section 214 or 215 of the Standing Orders, which is election of the Speaker. You could use that as a guideline. It allows that to be done by secret ballot.

I would like an explanation of how 1, 2, 3 fits in with what was in the explanatory notes.

Ms FYLES: You are saying you do not support the process for a judicial officer appointment? The process of the committee which the select committee put forward is unworkable. As I explained to the House this morning, for an ICAC Commissioner expressions of interest are sought to that independent panel. Two, three or four people put their names forward. They are not going to put their names forward to come onto the floor of the Northern Territory Legislative Assembly and then we rank them one, two or three.

These are people perhaps working in ICAC. They might be an Assistant Commissioner in another body or holding a high legal appointment. We need to be able to work around this. It is not possible to bring those names onto the floor of the House for debate.

We are following the protocol for a judicial appointment. That independent panel of esteemed people, the Solicitor-General for the Northern Territory and the others I have named, accept expressions of interest. They get two, three, 10 or one name. They work through whether that person is suitable. We are talking about independent people.

They provide that name to the Attorney-General who takes it to Cabinet. Cabinet ratifies it, and puts it by way of motion to the Assembly. It can be vetted at any point. Those people who apply might not be suitable so the panel will explain why. The Legislative Assembly may vote down that motion, but we cannot bring down two, three or four or ten names onto the floor of the House.

I understand the references to choosing a Speaker. They are people that are in the public domain. We need to have a workable program for appointing the ICAC.

Mr WOOD: I am looking at exactly what is written here and I am reading it as I see it. I am reading 112.1. The Administrator made a point, an eligible person of the ICAC. That is fair enough. But then it just says, 'the appointment be made only after receiving a recommendation of the Legislative Assembly'.

Ms FYLES: Member for Nelson, the way it is written in Clause 112 is working backwards. If you go to the bottom of that paragraph and work your way back up, you get the process in steps one, two, three, four, five, etcetera.

It is working backwards, it is saying the Clause provides for the appointment of the ICAC by the administrator. A person is appointed to the ICAC following recommendation of the Legislative Assembly and the motion to

the Assembly is the independent panel providing recommendation or recommendations to Cabinet who are bring the motion to the house.

Mr WOOD: I am just reading this. Number two is only two lines. It just says the appointment may be made only after receiving a recommendation of the Legislative Assembly. What I am asking is, where did it mention Cabinet? That is what I cannot see. I am looking at this from a lay's point of view. Where would I see that this had to go through Cabinet?

My opinion is it goes from the...

Ms FYLES: I know you have your opinion Member for Nelson.

Mr WOOD: It is not an opinion, I am just trying to read it as it is in English.

Ms FYLES: There is the explanatory statement part 7 Clause 112 and that clearly states it out as well.

Mr WOOD: That is only the explanatory statement. We go on the bill and the bill just says one, two, and three. It does not say anything about a judicial officer or a appointment of a judicial officer. It does not say anything about having an independent panel.

It does not say anything about going to Cabinet.

Ms FYLES: Member for Nelson, you are—common practice is a bill goes with the explanatory statement and that is what I am reading off in terms of the further detail.

Mr WOOD: Well I cannot support that because it does not make any sense.

Mrs FINOCCHIARO: The explanatory notes themselves, as the Member for Nelson is articulating, set out what could be and I reiterate that the word anticipated is used. There is no—the bill itself does not prescribe a process and does not require a particular process to take place.

There is two levels of complications and problem. One is that you can depart from your anticipated position which is to follow the process in these. The second is that even if you do follow your anticipated position and that is to follow the process for judicial appointment. You, yourself can alter the process for judicial appointment, so should it not be prescribed in section 112 what the actual process is.

Your explanatory note also says about a bipartisan standing committee. That is not an enshrined in the bill either and you have made no comment tonight about whether or not it will then go to a bipartisan standing committee. That is in your own explanatory notes.

What is the actual process?

Ms FYLES: Mr Deputy Speaker, I know that the opposition and Independents are not supportive of the process. They have clearly voiced that. What we have before us, is the appointment of an ICAC that comes to this Legislative Assembly. It is part of the process.

I have explained it time and time again. I do not feel like I can answer it in a different way.

Mr DEPUTY SPEAKER: Thank you Attorney-General. I believe that we have gone into much discussion around this. I am going to put the question. Honourable Members will have a position to their vote or divide on the matter. But this has gone.

Mrs LAMBLEY: I would just like to ask one question and that is—surely you can see that perceptually this looks like a conflict of interest when you have the Cabinet having a major say over selecting the final person for the position, vetting the process to some extent. From my perspective it is a conflict of interest and take politics out of it, whether it is your Cabinet or the CLPs Cabinet or whatever.

It just looks like you are interfering in the process and that there is a potential conflict of interest which at this point in history we do not need.

Ms FYLES: I completely disagree with the marks from Member for Araluen. We are following the process to a point judicial representatives which we have done for decades in the Northern Territory.

So are you saying that the process looks like it is being interfered with? We have a clear process here that is what follows judicial appointments and then we bring it back into this assembly.

We have outlined the process and if those opposite were so keen on having these processes in place, I do draw their attention to fact that they could have implemented an Independent Commission Against Corruption perhaps when they were in government.

Mrs LAMBLEY: Attorney-General, the statement you just made is unfair. There has been previous CLP governments there has been previous Labor governments. All governments in the past could have done this. You are really getting off track. Any government could have implemented an independent commission against corruption...

Ms FYLES: Nobody has to date.

Mr DEPUTY SPEAKER: Order! Resume your seats. This is about the operations of the bill. We are not in to talking policy positions on previous or current governments. Member for Araluen, do you have a question relating to this particular clause of the bill?

Mrs LAMBLEY: I would like to just finally get some clarification around why we cannot put history where it belongs. This is a line in the sand. If Cabinet is involved in the selection of the judiciary is that a good thing in itself? Perhaps it is not.

Ms FYLES: A point of order, Mr Deputy Speaker! The Member for Araluen is raising questions ...

Mr DEPUTY SPEAKER: Order, order!

Mrs LAMBLEY: I have not finished by question, Attorney-General.

Mr DEPUTY SPEAKER: Order! Member for Araluen, please resume your seat. We are here to discuss the independent commissioner against corruption and we will do so without interjections. I will give you the call when another Honourable member has finished speaking. Member for Araluen, if you continue your remarks relating to the particular clause 112, you may commence.

Mrs LAMBLEY: My point is the way in which things have been done in the past are not necessarily the best ways. If your argument is this is the way we have done it in the past selecting the judiciary ...

Ms FYLES: A point of order, Mr Deputy Speaker!

Mrs LAMBLEY: ...then I do not know that is an argument in itself. The scrutiny committee recommended ...

Mr DEPUTY SPEAKER: Please hold, Member for Araluen. What is your point of order Attorney-General?

Ms FYLES: We are talking about a specific clause that is before us. The Member for Araluen has now decided she would like to challenge the way judicial appointments are made in the Northern Territory. Perhaps she can bring that as a general motion or a question, but we have a specific clause before us around the appointment for the independent commissioner against corruption. I have clearly outlined the process. The process comes back in here to this Assembly. It is a robust process and I would ask you to draw the member's attention to the clause that is before us.

Mrs FINOCCHIARO A point of order, Mr Deputy Speaker! Standing order 31: imputations. The Attorney-General is trying to say, both the Member for Nelson and the Member for Araluen disagree with the way we appoint judges. It is not what we are talking about. We are talking about the appointment of an ICAC commissioner not about the appointment of a judge. That is precisely what we are talking about. I ask her to withdraw.

Mrs LAMBLEY: You raised the comparison, Attorney-General, not me.

Mr WOOD: Can I ask one simple question?

Mr DEPUTY SPEAKER: Member for Nelson, I need to confirm the Standing Order that has been raised and then I will go to you.

Deputy Opposition Leader, I want to confirm what you are referring to with Standing Order 31, what you found offensive?

Mrs FINOCCHIARO: The fact that the Attorney-General is trying to say about the Member for Nelson and the Member for Araluen that they disagree with the way to appoint a judicial officer. That is absolutely not the case. They are talking about appointing an ICAC commissioner and the Attorney-General is trying to deflect and say so you disagree with how we appoint judges in the Northern Territory, which is not correct.

Mr DEPUTY SPEAKER: I am not going to rule that as a point of order, but I am going to remind members to be very sincere when they are speaking in the Chamber. I will go back to the Member for Araluen, you were finishing. I may ask you if you can do so in relation to clause 112 if there is a particular question that you have for the Attorney-General you may commence.

Mrs LAMBLEY: I have no more questions.

Mr DEPUTY SPEAKER: Member for Nelson, you did have the call following the Member for Araluen.

Mr WOOD: Mr Deputy Speaker, for my clarity, where in this clause – for the average person reading this bill – does it say that this process requires the process that is usually required to appoint a judicial officer or anything about a judicial appointments panel?

Ms FYLES: Page 55, Part 7, clause 112, Appointment of an ICAC in the explanatory statement.

Mrs FINOCCHIARO: I want to ask the Attorney-General, because she is clearly of the view that she has clearly outlined the process. There are a few of us who do not understand the process. The process has to be enshrined in the bill and the bill does not go into any of that detail.

If the Attorney-General is not trying to make this political, then why was the process not put in the bill?

Ms FYLES: Mr Deputy Speaker, I feel that I have answered the question numerous times. It is a fundamental point of difference. The government has taken on the task of returning to government transparency, and integrity. We are the ones that have brought an Independent Commission Against Corruption Bill to the House today.

We clearly state, in Part 7, clause 112 of the explanatory statement, that we will follow the protocol as appointment of a judicial officer and it will come into this Legislative Assembly. We know those opposite have a different process they would like to see – an unworkable process that does not stand legally.

However, it is a fundamental point of difference. I have clearly outlined to the members of the House and the community the process we will have for putting in place an Independent Commission Against Corruption.

Mrs FINOCCHIARO: Mr Deputy Speaker, with respect, the explanatory notes are not the law; the bill is the law. Section 112 will be the law. If the Attorney-General will say we have to follow the explanatory notes, then she must create a bipartisan standing committee to accompany that. You cannot have your cake and eat it too.

Ms FYLES: A point of order, Mr Deputy Speaker! She has exactly explained what she wants. They want to do this through a bipartisan standing order committee – nothing to do with the floor of the Assembly ...

Mrs Finocchiaro interjecting.

Mr DEPUTY SPEAKER: Order!

Ms FYLES: It is a fundamental point of difference ...

Mr DEPUTY SPEAKER: Attorney-General, please sit. I will put the question. If honourable members wish to agree or disagree, they can do so once the question has been put. If members are not happy with that, they may wish to divide on the matter. The question now is that clause 112 stand as printed.

The Assembly divided.

Ayes 16

Ms Ah Kit
Ms Fyles
Mr Gunner
Mr Kirby
Ms Lawler
Mr McCarthy
Mr McConnell
Ms Manison
Ms Moss
Ms Nelson
Mr Paech
Mr Sievers
Ms Uibo
Mr Vowles
Ms Wakefield
Mrs Worden

Noes 6

Mrs Finocchiaro
Mr Guyula
Mr Higgins
Mrs Lambley
Mr Mills
Mr Wood

Motion agreed to.

Clause 112 agreed to.

Clauses 113 to 124 agreed to.

Ms FYLES: I move amendment 5.12 that Clause 125 be amended to remove subclause 125(6) containing definitions of the term ‘irrelevant criminal record’ and ‘political affiliation or activity’. These definitions have been moved to Clause 4 by virtue of amendment 5.1. This is a technical amendment.

Amendment agreed to.

Clause 125, as amended, stands.

Clauses 126 to 128 taken together and agreed to.

Ms FYLES: I move Amendment 5.13 that Clause 129 be amended to fix some typographical errors so that subclause (f) no longer occurs twice and a reference to Section O is replaced with Section 105. This amendment reflects Recommendation 14 of the recommendations made by the scrutiny committee as a result of its inquiry into the ICAC Bill.

Amendment agreed to.

Clause 129, as amended, agreed to.

Clauses 130 to 138 taken together and agreed to.

Clause 139:

Ms FYLES (Attorney-General): Mr Deputy Speaker, I move amendment 5.14 that clause 139 be amended to give the inspector the power to report a matter to the ICAC minister on an as-needs basis, and further, optionally require that the report be tabled in the Legislative Assembly within six sitting days.

This recommendation aligns with recommendation 12 made by the Social Policy Scrutiny Committee as a result of its inquiry into the Independent Commissioner Against Corruption Bill 2017. It reflects the Committee’s recommendation by amending Clause 139 as opposed to Clause 136.

Amendment agreed to.

Clause 140:

Ms FYLES: Mr Deputy Speaker, I move amendment 5.15 that Clause 140 be amended to provide that the rules regarding disclosure of information by the inspector also apply to an as-needs report made under Clause 139 as amended by amendment 5.14.

This amendment is necessary for consistency after amendment 5.14, which was a recommendation of the Committee.

Amendment agreed to.

Clause 140 agreed to.

Clause 141:

Ms FYLES: Mr Deputy Speaker, I move amendment 5.16 to Clause 141, creating new clauses 141(a) and 141(b). These new clauses will allow the inspector to conduct suitability checks on staff and potential staff similar to the ICAC's powers under Clause 125.

It will assist the inspector to ensure any staff reviewing the actions of the ICAC do not have actual or potential conflicts of interest.

Amendment agreed to.

Clauses 142 to 159 taken together and agreed to.

Clause 160:

Ms FYLES: I move amendment 5.17 that creates new clause 160A. I move this amendment to ensure that all information currently in the possession of the Public Interest Disclosures Commissioner passes to the Independent Commission Against Corruption. This amendment implements Recommendation 13 of the recommendations made by the Social Policy Scrutiny Committee as a result of its inquiry into the Independent Commission Against Corruption Bill 2017.

Without this amendment, information that does not relate to current investigations would potentially become accessible, compromising the confidentiality of that information, and in particular, potentially compromise the security information of whistleblowers who disclose under the *Public Interest Disclosures Act*.

Amendment agreed to.

Clause 160, as amended, agreed to.

Clauses 161 to 174 taken together and agreed to.

Schedule 1:

Ms FYLES: I move amendment 5.18 that Schedule 1 be amended to replace references to 'referrals to another entity' with 'referral entity'. This amendment implements the remainder of Recommendation 3 of the recommendations made by the Social Policy Scrutiny Committee into its inquiry into the Independent Commission Against Corruption Bill 2017.

Similarly amendment 5.2 is made for consistency and clarity. The term 'referral entity' is defined in clause 4 and refers to specific persons and bodies identified in clause 25.

Amendment agreed to.

Schedule 1, as amended, agreed to.

Mr DEPUTY SPEAKER: Honourable members, we will go back and revisit the original clause, which is the proposed amendment from the floor.

Ms FYLES: Early in the committee stage, there was a question raised. I have sought some advice. I indicated at that time I would be drafting an amendment. I have advice from the Office of Parliamentary Counsel that amendment 5.10 fixes the reference in clause 68(4)(a), which was the question raised by the Member for

Nelson. Amendment 5.19, as circulated or drafted – I am not sure, I forget – was unnecessary. This amendment related to changing references to Justice of the Peace to judicial officer. The amendment is about search warrants and means only a judge can grant a search warrant.

I have provided clarity as to why. I am not sure it was circulated or not, but if it was it was not needed. That is why it may not have been circulated.

I wanted to provide that point of clarification for the *Parliamentary Record* and the committee.

Clause 68 agreed to.

Remainder of the bill taken as a whole and agreed to.

Ms FYLES (Attorney-General and Minister for Justice): Mr Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

MISUSE OF DRUGS BILL (Serial 31)

Ms FYLES (Attorney-General and Justice): I move that the bill be now read a second time.

Motion agreed to; bill read a second time.

Mrs FINOCCHIARO (Spillett): Mr Deputy Speaker, I rise to speak to the Misuse of Drugs Amendment Bill currently before the assembly. This bill was introduced by the Attorney-General and referred to the Social Policy Scrutiny Committee which I am a member. The committee calls the submissions from the public of which there were none and this resulted in a no issues report being tabled yesterday by the Chair of the committee, Member for Karama.

The bill seeks to amend the *Misuse of Drugs Act* to ensure its consistency with the Australia and New Zealand Food standards codes. In effect to enable Territorians to legally supply and possess cannabis seeds that contain no more than 5 milligrams a kilo of tetrahydrocannabinol or THC. Hempseed oil may contain less than 10 milligrams a kilo of THC.

A beverage derived from seeds of low THC cannabis sativa that the beverage contains no more than 0.2 milligrams a kilo of THC and any other food product extracted or derived from seeds of low THC cannabis sativa that contains no more than 5 milligram a kilo of THC.

The food standard is governed by the Australian New Zealand ministerial forum on food regulations which met on the 28 April this year. At this meeting it was agreed to allow the regulation sale of low THC cannabis sativa seeds as a food source.

As the minister stated, a scientifically rigorous process was conducted before the food standards Australian New Zealand, FSANZ as I will refer to it from now on, reached this conclusion.

Based on the minister's introductory statement it appears that FSANZ approved the concentrations I referred to earlier based on the assessment of the tolerable daily intake that does not adversely affect skill performance, for example hand-eye coordination and reaction times.

As the minister outlined, FSANZ set the limit lower than this threshold which the Opposition welcomes. There should be absolute surety that these products are no more intoxicating than a banana smoothie and after all, cannabis is a controlled drug in the Northern Territory. I do enjoy a good banana smoothie.

As an intoxicating substance cannabis is one of the most widely abused. However it is clear from certain industries which have been established over the years that there are alternative uses for hemp plants in the various species and strains that are cultivated and in this case we are looking at culinary use.

Personally I do not have a problem with this provided that the active intoxicant, THC, is limited to a negligible level as to be rendered irrelevant. In this sense the cannabis sativa would be no more harmful than industrial hemp.

Prudently, the ministerial forum asked for research to be conducted in regard to roadside drug testing and whether the newly-approved concentrations would be detected by current police technology. The report concluded that any detection would be highly unlikely at such low concentration. The same goes for urine tests.

A question I have for the minister if she could speak to it in her wrap is whether detection would occur for hair-testing as my understanding of this test is that many substances remain in the hair follicle for a lot longer than they would in saliva or urine.

There are many in the Territory, particularly our fly-in fly-out workers who are subject to stringent drug testing and therefore clarification should be sought for such workers to protect their employment given we are going to legalise certain activity around cannabis.

At this point those listening to this debate may be curious as the actual dietary worth of cannabis seeds. The minister has assured us that the seeds contain, and I quote, 'sizeable amounts of protein, polyunsaturated fats and dietary fibre, micronutrients such as thiamine, vitamin E, phosphorus, potassium, magnesium, calcium, iron and zinc'.

The minister has assured the Chamber that the bill in no way condones illicit use of cannabis, but only allows the use of what are termed hulled and non-viable seeds which I presume means that they are unable to be grown and cultivated, and perhaps the minister could clarify that for the benefit of the Assembly.

From the minister's introductory remarks it is clear that law enforcement were concerned about the sale of cannabis seeds and required strict definitions of what was available for sale. One final question I have for the minister is in regard to cannabis oil. Do the THC concentrations permissible under this bill allow for medical use of that product? As many in this place may be aware, forms of cannabis oil have been used to successfully treat serious seizures and other epileptic syndromes especially in children.

I would like clarification around this as more regulation could be required should that level of concentration be found to be in any way psychoactive. Further regulation may also be required to allow pharmaceutical use of these products.

The Opposition gives support to this bill and hopes that the minister will answer our questions in her wrap of the bill.

Mr WOOD (Nelson): Mr Deputy Speaker, I support the bill we are trying to pass.

It was interesting to hear the minister's second reading speech. From what the minister has written and from Food Standards Australia and New Zealand it is obvious that there has been a lot of work done on this to make sure that the cannabis extracts we are using here are of such a low THC that there is no issue with it. I notice that if the seeds are going to be hulled there is very little chance of the seeds being able to be used to germinate a new plant.

I did look up a site, and started to wonder whether the Territory might have an industry. You can grow hemp in the Northern Territory.

A member: How do you know that, Member for Nelson?

Mr WOOD: Because I have people come and see me. I always take their advice, except on ICAC matters.

There is a company called hemp sales here. For \$14.95 you can get 250 gram organic whole hemp seeds. You can buy it in bulk, up to \$448.50 for the 30-pack, plus free gifts.

What is interesting is it may sound a bit silly, it appears to be quite a good food. It has 2000 milligrams of omega 3 per spoon full and 6400 milligrams of complete protein per spoon full.

It is a natural source of antioxidants, phytosterols, vitamins, minerals and fibre. It says here—and this is a post what we need in this place—it says whole hemp seeds contain 10-15% fibre which aids in constipation and promotes digestive regularity. The omega 6 fatty acids in hemp seeds regulate metabolism, help brain function—there should be more of that in here—maintain bone health and stimulates skin and best of all, hair grow.

As a natural appetite suppressant—I have ordered the 30 pack—adding hemp seeds to your meals can reduce your food cravings and help you feel full for longer. Well I need that too. Hemp seeds have a mild nutty flavour and are ready to use raw or in low heat cooking.

The seeds can be sprinkled on hot cereal, yoghurt or salads, added to shakes and smoothies as the Member for Spillett said. You can mix it with your banana smoothies or added to breads, pancakes, granola bars and other baked deserts. Because they are packed with protein, hemp seed are ideal for people with holding a paleo diet or trying to reduce their carb intake.

Much as I understand that the minister has brought this bill to parliament, it is interesting that there are legal uses for cannabis seeds and again, we keep looking around the place to see how the Northern Territory can find new industries and we do know that hemp can grow in the Northern Territory, some legally and some not so legally.

If you are to take what is written there as scientific proof, then it is certainly a healthy food to use. Maybe similar to chia which is grown in Kununurra which is added to cereals and bread and all those sorts of things. So I just thought I would throw that little bit in just to annoy the Member for Karama as she wants to go home and I say also support.

Ms Fyles: She is very hard working.

Mr WOOD: I know I just saw her there just looking like she was jumping up and down already to go. I would like to support the motion before us tonight.

Ms FYLES: Thank you Mr Deputy Speaker, I think members for their contribution to debate and for indicating there support. I know there was a little bit of light-heartedness during that debate but this is a very serious issue. This is one element around hemp and the hemp seed but it is an issue that the Member for Spillett raised in questions.

This bill is not in any way condones the growing of cannabis plants for illegal drug use. This is purely around the national food standards Australia and New Zealand and it is to amend the misuse of drugs act to enable the possession and supply of a whole hulled non-viable sativa seeds from low Tetrahydrocannabinol, THC varieties with less than 1% of THC, so they can be sold as a food source.

The bill enables implementation of the April 2017 agreement by health ministers in the Australian New Zealand ministerial forum on food regulation to various standard in the Australian New Zealand food standards code. The food standard to allow THC cannabis sativa seed to be sold as food, the low THC cannabis seeds are considered to be a notorious food containing sizable amounts of protein, poly unsaturated fats and dietary fibre.

Cannabis seeds also contain micro nutrients such as vitamin E, potassium, magnesium, calcium, iron and zinc. Cannabis seeds have favourable fatty acid profile with more than 80% of the fatty acid content being unsaturated. Like nuts and other seeds the low THC cannabis seeds and oil are a good alternative source of a number nutrients. Hemp foods are permitted in 30 countries internationally.

The bill amends section three of the misuse of drugs to assert new definitions of hulls, low THC cannabis sativa, non-viable and permissible cannabis seeds that are necessary to give effect to the amendments to the *Misuse of Drugs Act* to make the possession and supply of low THC cannabis seeds.

The bill inserts the definition of permissible cannabis that is consistent with the food standards and requires seeds to be from low THC cannabis sativa plants that is varieties with no more than 1% THC. They contain no more than 5 milligrams per kilo gram of total THC. The seeds must be non-viable and hulled and contain only naturally presence cannabinoids.

The bill amends section 4 (a) 1 (b) of the *Misuse of Drugs Act* that currently provides for a blanket exemption for a processed product made from cannabis seeds if the product does not contain more than 50 milligram per kilogram of the THC and it does not contain whole cannabis seeds.

The bill amends section four 4 1 (b) to clarify that the exemption will apply to permissible cannabis seeds.

The bill amends schedule two of the *Misuse of Drugs Act* to exclude permissible cannabis seeds from listing of cannabis seed and cannabis plant material that includes seeds in schedule two from the listing of THC hemp seed oil that contains less than 10 milligrams per kilo of THC a beverage derived from seeds of low

THC cannabis sativa. If the beverage contains no more than 0.2 milligrams per kilo of THC and any other food product extracted or derived from seeds of low THC cannabis sativa that contain no more than five milligrams per kilo of THC to ensure alignment with the food standard.

The bill also amends schedule three to exclude permissible cannabis seeds from infringement notice offences for cannabis seed and cannabis plant material that includes seeds.

I wanted to make sure that I covered off on all the questions that were raised from the other members. The Member for Spillett also asked a question—they are not psycho active therefore cannot be used as a recreational drug. It is purely for a food source. I think I have covered off and answered all the questions.

I commend the bill to the Assembly.

Motion agreed to; bill read a second time.

Ms FYLES (Attorney-General and Justice): Mr Deputy Speaker, I seek leave to move the third reading.

Motion agreed to; bill read a third time.

PAPERS TABLED Auditor-General's Report

Mr DEPUTY SPEAKER: Honourable members, I table the November 2017 Auditor-General's report to the Legislative Assembly.

Ms MANISON (Treasurer): I table the latest Auditor-General's report which looks at the issue of the Indigenous Employment Provisional Sum, more commonly called the IEPS.

If you ever wanted to write a text book about what to avoid in developing policy you could get no better case study than this. The analysis by the Auditor-General of the policy developed by the previous CLP government.

What we know is that we are aware that there was a long list of errors, oversights and examples of poor administration and systems. It got to the point where there were issues so great that we had to refer this scheme to the police, because we were concerned about fraudulent activity.

We know that with the delivery of this report, that it was thought bubble politics at its worst. What we saw was a hastily implemented scheme put through by the previous CLP government. The Auditor-General has gone through this in fine detail to discover what happened within that scheme.

Within weeks of the CLP coming up with this policy it had been rolled out with little preparation and no guidelines. It was policy on the run, a disaster waiting to happen and we saw significant problems with the program.

On 22 October 2014, the former chief executive of the then Department of Infrastructure sent an email to staff outlining the new scheme:

An Indigenous Employment Provisional Sum equal to 10% of the estimated project value, GST exclusive, to create Indigenous employment that also supports training and education.

On 29 October 2014, the CLP government sent out a media release trumpeting the new scheme using very similar words:

The policy will make it mandatory for 10% of the estimated value of each construction project over \$500 000 to go towards contracting Indigenous organisations.

One week after that media release went out, something very strange happened. On 5 November 2014, just one week later, someone from the previous government's team had logged into the system and changed the sentence relating to the 10% figure. They erased it from history, or thought they had.

As we look further into the report, by changing the content of the media release, the public record of the initiative was changed.

This was the start of a long list of problems with the scheme. The first tender released containing in the IEPS was awarded in October 2014. This was before the fact sheet was developed on how to implement that policy, not that the fact sheet was distributed to many staff after it was completed in the following month, anyway.

It would take until February 2017 for the guidelines on the implementation of the policy to be sent to all agency staff, well after the first contractor submitted a claim for payment against the IEPS. In fact, the first claim was paid before the guidelines implementation were widely distributed.

We had a scheme being changed on the run with no clear guidelines and staff kept in the dark on how to implement it. We all know the Auditor-General looked into it and found:

- material fraud was being perpetrated upon the Territory
- material financial loss arising from a result of misinterpretation of policy requirements
- not achieving the intended outcomes of policy
- inability to measure what impact, if any, the policy is having and consequently making decisions that are inconsistent with intended outcomes
- inability to measure what impact, if any, the policy is having and consequently not taking corrective action when required
- incorrect reporting to the ultimate decision makers within the Northern Territory government resulting in reputational risk and loss of credibility.

It is a scathing summation of a scheme gone wrong. The Auditor-General says the management of the scheme fell into two distinct periods; October 2014 to September 2016 and September 2016 to the time of the audit. It is no coincidence the failures of this policy were uncovered during this time in government, more stringent processes were put in place and the department was provided \$1m extra for compliance. In less than a year it was found that at least six companies may have rorted the scheme.

The Auditor-General provided a raft of recommendations to fix the problems, including:

- management reviews
- the current policy guidelines to provide further guidance and assistance to employees on the IEPs or equivalent
- management establishes appropriate performance measures to enable effective monitoring of contract performance against and compliance with IEPS initiative or equivalent
- the agency's holistic contract management framework includes policies and procedures to support managing IEPs initiative or equivalent
- the quality and accuracy of information recorded and reporting to stakeholders could be improved
- management attends to the control weaknesses that exist in relation to IEPs initiative or equivalent as they affect the procurement process
- the agency is encouraged to establish formal reporting protocols in relation to the IEPs or equivalent
- the agency would benefit from establishing a formal process for escalating concerns, complaints and allegations arising from weaknesses within the agencies performance management system
- consideration should be given to enhancing record keeping, system and processes in place at the agency

Under this governments watch, all of these recommendations have already been or are being addressed. This government also provided an increase for funds to improve compliance of the scheme which uncovered the anomalies, including, \$450 000 in September 2016 and a further \$500 000 announced in August this year. It saddens me to say that this saga even eventuated; it is another example of how disastrous and dysfunctional the former CLP government was.

Faced with the fact that up to six contractors are now under police investigation over the use of this scheme, I suspended the IEPS in August this year. The department is now developing a scheme with proper processes, safeguards and built-in accountabilities which will take into account all the recommendations made by the Auditor-General. The government has to learn the lessons of the incompetent CLP government predecessors and get this new scheme right; if that takes a bit more time, so be it, the Territory will be better off in the long term and I expect the new policy to be announced next year.

VISITORS

Mr DEPUTY SPEAKER: Thank you, Deputy Chief Minister. Before you start, Attorney General, we have two very important guests in the gallery. We have Mr Henry and Mr Ollie accompanied by their father Paul. They are the Attorney-General's children. Welcome to parliament house boys.

Members: Hear, hear!

Ms FYLES (Attorney-General and Justice): Mr Deputy Speaker, it is very exciting that Ollie and Henry have come in to see us hard at work. I move that the debate be adjourned on the Auditor-Generals November 2017 report so other members can provide comment at a further date.

Motion agreed to; debate adjourned.

PAPER TABLED Government Responses to Committee Reports

Mr DEPUTY SPEAKER: Honourable members, I table the schedule of the government responses to committee reports to the Legislative Assembly.

Members Quarterly Fuel Card Reports

Mr DEPUTY SPEAKER: I table honourable members quarterly fuel card reports to the Legislative Assembly.

MOTION Note Paper – Auditor-General for the Northern Territory, August 2017, Report to the Legislative Assembly

Ms FYLES (Attorney-General): Mr Deputy Speaker, I respond tonight in relation to my portfolios of Health and Attorney-General and Justice.

I thank the Auditor-General and her staff for all the hard work that goes into producing these reports to the Assembly. They are vital and worthwhile to make sure we are on track and meeting community expectations. Where we fall short, they provide an opportunity for rectification.

The Auditor-General reviewed the electronic medication management systems IT controls. The EMMA system as it is known, or Medchart, provides medication prescribing pharmacy reviews and nursing administration to reduce medication errors and improve coordination between clinical teams.

The NT Auditor-General's review covered the use in hospitals of the EMMA and remote health centres, the PICAS Medchart. Nine key findings were identified, with an overall opinion that general computer controls have been implemented in relation to the electronic medication systems, however significant opportunities for improvement were identified in relation to strengthening information security access management and change management.

The following actions have been taken by the Department of Health. Immediate correction was taken for some identified issues. In addition, a range of controls to progress the recommendations have been implemented including:

- regular reviews to remove inactive users

- working collaboratively with DCIS to strengthen system security through a whole-of-government ePass solution
- new audit monitoring processes
- reviewing the vendor agreement
- formalised procedures
- strengthened annual disaster recovery testing.

The Auditor-General reviewed excess leave entitlements across the public service. The review identified excess annual leave and long service leave for both the Department of Health and the Department of the Attorney-General and Justice. Access to leave is of course vital for work-life balance and employee health and wellbeing.

Both departments will undertake closer management and monitoring of leave reports and supervisors' response actions, and work with staff to reduce leave balances. The Christmas close down will also ensure staff take an opportunity for an end of year break while skeleton staffing arrangements will continue for frontline public servants.

The Auditor-General surveyed fraud control arrangements within selected agencies. This included both the Departments of Health and the Attorney-General and Justice. Concurrently with the fraud squad, the Department of Health undertook an internal audit analysis of the fraud corruption framework as part of its internal audit plan.

Overall the department manages its fraud control arrangements well, with existing policies, procedures, risk assessment and internal controls and regular audits in place. In addition, the department has a dedicated fraud referral contact and investigation team, and notifies the NT Auditor-General and police of any suspected fraud matters.

The current fraud and corruption framework policy is under review in accordance with the normal bi-annual review cycle as required under the document control arrangements. The Department of the Attorney-General and Justice audit services division is undertaking a fraud maturity assessment and will apply the findings from the Auditor-General's report to provide advice on improving the fraud control environment.

Advertising for the men's health expo 2017 was referred to the Auditor-General for review. The Darwin men's health expo was held at Raintree Park on 14 June 2017, with a range of participants including the Department of Veteran Affairs, Danila Dilba Health Services and the Heart Foundation.

A promotional advertisement for this event contained a Northern Territory Government logo, which was subsequently removed. While the Auditor-General determined that the provisions of the *Public Information Act* did not apply to the referred advertisement, it is a requirement that all media releases and advertisements for the Department of Health be approved by the department's strategic media and communications branch prior to release.

Thank you for the opportunity to comment on this report.

Debate adjourned.

ADJOURNMENT

Ms FYLES (Leader of Government Business): Madam Acting Deputy Speaker, I move that the Assembly adjourn.

I would like to take the time to reflect on 2017 and what a year it has been. It has been a significant year for my electorate, my community, my portfolios and for the whole Northern Territory.

It has been a very busy year in the vibrant Nightcliff electorate, and I have enjoyed the many opportunities I have had to catch up with local residents and visitors, and share ideas and hear concerns about our community. I enjoy the opportunity, although there has been a few too many storms of late, for my mobile offices along the Nightcliff and Rapid Creek foreshores.

We have a number of fantastic schools and child-care centres in my electorate. It has been wonderful to be able to visit them. Going along, reading books during book week, attending school fetes and assemblies. They are special opportunities we get as local members to be involved in our communities.

I would like to congratulate Nightcliff Primary School students on their remarkable achievements at the Territory Young Author awards. It was exciting to see the class win the overall award. I know it was a wonderful afternoon, a very long presentation held by the City of Darwin but I think very worthwhile.

Justine Glover did a great effort in hosting that. I know all the children loved the opportunity to go on stage and be acknowledged for their books.

It was also wonderful to attend the school's extravaganza and sports day and as my children are at school I get to interact a lot.

The dedicated staff at Nightcliff Middle School are providing an array of opportunities to that school and I would like to welcome the new Principal, Marty Isaksen. It is wonderful to have him at our school. It has been great to see Nightcliff Middle School in the press lately. An article in the Northern Territory News last week said they have been participating in Tournament of Minds and the Robocup-lots of opportunities to participate and have fun. I thank Eva, Marty and the whole team at Nightcliff Middle School.

The Essington School has gone from strength to strength. It was wonderful to attend their Twilight Fair. Students have been participating in a range of activities. They recently launched the next series of their books, and congratulations to the school and young Tara who won the Nova Employment's choice award on the focus on ability in the International Film Festival.

I also have St Paul's Catholic Primary School. It is wonderful there with Mr Anthony Hockey, and Ms Jo Knight as the Assistant Principal. It is a school that is very much part of our community. It was great to attend a book week parade. The teachers dressed up and got into it. They do a lot of fundraising with the Caritas K program. They do a bike ride. It was wonderful to be involved in that school over the year.

To all the principals, to Mr Graham Chadwick at Nightcliff Primary School, Mr David Cannon at Essington, to Marty at Nightcliff Middle School and to Anthony at St Pauls, and to all their staff, students, parents, carers I hope you have a fantastic end of year. I am certainly looking forward to getting out and attending those presentation assemblies and presenting my annual awards. I wish you a safe and relaxing break.

From the young to the young at heart. Seniors are a vital part of our community and Nightcliff has a very strong representation. It has been wonderful to catch up with them not just as I move amongst the community but regularly. We get Easter Morning Tea, the Seniors Month Breakfast, the Seniors' Melbourne Cup Luncheon where I was invited to judge the hats. The Chief Minister joined me. It was a wonderful day. I declined an invitation to the Melbourne Cup to the famous Birdcage to be at the Seniors Hall for the sixth year in a row. I loved being there. I know we will have a wonderful time at my Christmas Lunch in a couple of weeks.

It has been wonderful around the Pensioner and Carer Concession Scheme to engage with them and understand their needs and share that with my colleagues.

The Nightcliff community is lucky enough to have its own festival to kick off the dry season each year. This year we did kick off the dry season. Last year it rained. This year we had a great Seabreeze Festival showcasing local talent, providing information to residents and visitors. I would like to sincerely thank that committee for all their hard work. They drive that festival. Andrew Arthur, who is now an Alderman and his partner Bryn do a fantastic job. It is a celebration of the community.

We saw local government elections. Chan Ward re-elected Robyn Knox. We also elected Dr Emma Young who moved across from another ward. Peter Pang Que was elected. I have already met the Aldermen and look forward to working with them on the issues relating to our community.

That certainly happened recently around the installation of the CCTV cameras in Nightcliff village. It is important to have that strong relationship. I would like to wish them well, thank all the City of Darwin staff. They do a great job, whether it is the frontline staff cleaning our parks, mowing lawns or whether it is the admin staff that we send in notes too.

I would also like to acknowledge the groups that I proudly get to be patron for—the Nightcliff Orchid Society, the Bowls Club, the Evergreens Group, the Swimming Club, the Sports Club and of course the Tigers Football Club. We are having a good season so far. I am hoping that continues over the Christmas break.

In my electorate support me, we farewell Carly who had been with me since the start but she has taken an alternative position in government. Amelia has done a wonderful job helping me. She was my electorate office assistant but she is going to move on to do a graduate program in nursing. I wish I could keep her but wish her all the best. Jordan has also been helping me. I thank them for their support.

To my ministerial staff, thank you for putting up with me; Emily, Deidre, Leticia, Matt, Michelle, Ella, Mark, Michaela, Daniel; the DLO Gabby, Adam, Katrina, Fallon. Thank you all for your support and efforts. It has been a huge year within my portfolio legislation such as the Banned Drinkers Register, Termination of Pregnancy reforms and the ICAC which passed here today. Huge achievements.

I could not have done it without my caucus colleagues and without my cabinet support. It is a lot of my staff and it is a big job and we have been delivering projects; the Palmerston Hospital, significant changes with the yellow book. Exciting opportunities getting that job but it is not me.

I get to stand here and read these speeches and debates but it is the preparation that the team does and they are backed up by all the wonderful staff within the Department of Health, Department of Attorney-General and Justice. Chief Executives, Catherine Stoddart and Greg Shanahan, sincerely thank them. We have wonderful staff, whether it is our legal policy team, all our staff right throughout our facilities and in health.

As we all get to take some time over the Christmas period to spend with our families and our friends, perhaps relax a little more. Our health staff, they have to step it up in a sense and to all our frontline health staff across our hospital, clinics, wishing you a wonderful Christmas and thank you for taking time away from your family to continue to care for Territorians.

It has been a very exciting year, it had some challenges and many people know that. It is wonderful to have Olly, Henry and Paul come in this afternoon unannounced. I didn't know—A little surprise visit but lovely to have them here and to say thank you to them in person. To my parents, I know me and the Treasurer could not do our jobs and many of us in here, I know the Deputy Leader of the Opposition would agree with that as well.

To all of those that support us, it is a juggle. A 5-year old and an 8-year old certainly keep you on your toes and it is a wonderful opportunity. I look forward to the challenges and opportunities in 2018 and sincerely thank everybody for their support. Have a wonderful, safe and happy Christmas to the Legislative Assembly staff, the Clerk, the Clerk Assistants, to Madam Speaker, wishing everybody a safe time and to everyone in the Chamber, I hope you get some time with your families, friends and loved one.

I look forward to plenty more robust debates in 2018. Thank you.

VISITORS

Madam ACTING DEPUTY SPEAKER: I would like to acknowledge your partner, Paul, and your children, Henry and Olly. I hope you enjoy watching mum speak.

Mr PAECH: I too want to use tonight to say a big thank you and Merry Christmas to all my constituents in my electorate area from Santa Teresa to Titjikala, Finke, Mutitjulu, Docker River, Imanpa, Arlparra, (inaudible), Atitjere, Engawala, Boonarra, (Inaudible), (Inaudible). Fantastic town camps. All the pastoralists and very resident in the rural area, I wish them all a great Christmas and thank them for their continuing support in ensuring that they have a strong voice in this Chamber.

It has been another busy and rewarding year in Namatjira with plenty of highlights and outstanding achievements. Being almost Christmas in some ways, I am told that this is the traditional Christmas adjournment where we need to thank everybody.

But I will also acknowledge some of the things that are happening at this time of the year. I thank each and every one of my local schools, I am very lucky to have outstanding principals in my patch. I continue to develop good relationships with them and they are running fantastic schools where they look after their students greatly.

I thank the remote health clinics, their staff and their tireless efforts to ensure that the people in Namatjira have continued access to quality health services. The people of Namatjira have continued to be strong people and by working closely together, we have stood up for our health clinics, our roads and the delivery of much needed housing and upgrades to additional housing.

This year we have had major events in Central Australia, such as the Red Centre NATS, the old timer's fete, the Finke committee and the Central Australian show. I acknowledge they are all in the electorate of Namatjira.

I thank the Finke committee's Anthony Yoffa, Damien Ryan, Claire Ryan, Deidre White, Glen Auricht, Daniel Sawyer, and Giselle Greenfield for putting together a fantastic Finke.

Rosie Gibbons, Craig Wan, Harry Cook, Joan O'Reilly, Melissa Durstan, Joe Doyle and Murray McLeod worked together to put a fantastic Central Australia show together.

Craig Lambley, Jeff Huben, Mark Toomey, Andrew Doyle, Alistair Fien, Luke Thomson, Matt Patterson and Gary Lafoe Sr put together an outstanding Alice Springs Cup Carnival. They are members of the Turf Club, along with Gary Armstrong and John McBride.

Central Australia drag racing have done a fantastic job this year.

We had the Isolated Children's Parents' Association conference dinner in my electorate.

The Earthy Sanctuary had a range of events through the year.

Harts Range racing committee and campdraft committee held a fantastic carnival this year.

I also congratulate the bush communities on their successful carnivals and rodeos.

I also acknowledge the Central Desert Regional Council, the MacDonnell Regional Council, the Barkly Regional Council and the Alice Springs Town Council for their continuing work in being strong advocates for the people in their council districts.

A valuable lesson I have learned this year is that by working hard with the community, the once impossible can be achieved. As always I thank my family, especially my mum and dad. You cannot do this job without the support of good family and friends, and they have been fantastic over this year.

In my electorate office I thank Tess Adams, Eileen Houson and Lala—also known as Raelene—for their hard work every day to ensure the people of Namatjira are looked after and supported.

A big thanks to the staff of the Legislative Assembly, who have helped me and all members in this Assembly. I especially thank the Clerk, Michael Tatham; the Deputy Clerk, Marianne Conaty; Russell Keith; and Jacqui Forrest. They have all helped me in strengthening my role as the Deputy Speaker.

I also give a shout out to the security team. They are the first smile that greets each of us every day. Usually they are the last smile as we walk out the door each night. I thank Mick and Esther. You guys are a great team and I love the work you do.

I also acknowledge the Parliamentary Counsel and Andrew Jones, and the great work his team do to ensure we have robust legislation before the House.

I have saved some of the best thanks for last. I offer my biggest thanks to Madam Speaker, Kezia Purick. I thank her for her support, encouragement and teaching as I continue my role as Deputy Speaker. She has been there every step of the way to help and offer guidance. I look forward to working with her in the Chamber to uphold the House and make sure we keep our rural areas rural.

I wish every Territorian a safe and happy Christmas. It has been a big year but a good one. There is still so much to do for the people of Namatjira.

I also want to encourage members during this festive season to give to our vulnerable people and to people in need. A small gift can and does go a long way. If elected members can make donations to charity organisations, who will be there on Christmas Day to support people in need who do not have somewhere to go in the Christmas season, it would be appreciated.

I also give a shout out to the Royal Flying Doctors and the palliative care unit in Alice Springs. Recently, my father passed away and it was palliative care unit in Alice Springs that cared for my dad during this difficult time. I place on the record my thanks for their professionalism and kindness during this difficult time. From this experience, it will be difficult for me this year at Christmas. It brings into perspective that whilst Christmas is a happy time for many people, there are many people for whom it is not.

I ask members to check in with loved ones and family and friends as we enter the festive season because, for some of us, it will not be a happy time but a hard time. A simple greeting or checking in with someone to ask if they are okay goes a long way. I reiterate the fantastic support from the palliative care unit in Alice Springs. They do an outstanding job and deserve a round of applause.

I also acknowledge and thank our frontline service organisations – our fire, ambulance and police, who will be serving the people on Christmas Day and New Year's Eve.

I want to get in early because the Member for Brennan beat me to wishing everyone a merry Christmas yesterday. So, I will beat him and wish you all a happy new year. So, happy new year!

Madam Acting Deputy Speaker, it has been a privilege to serve the people of Namatjira and the great people of the Northern Territory. There is still much to be done. With all members of the Assembly we can do it. I thank all members of my Caucus team for being good parliamentary colleagues, friends and supporters. I thank the members opposite – the Independent and opposition members – for always being respectful in this place.

If I have forgotten anyone in the Christmas adjournment, I am sorry. I wish you all a very merry Christmas. I thank my parliamentary colleagues, the Member for Arnhem, Selena Uibo, and the Member for Sanderson, Kate Worden, who are the Acting Deputy Speakers. I call on them at times to relieve me. I am very thankful for their willingness and support.

On behalf of the great electorate of Namatjira, merry Christmas and happy new year to all.

Madam ACTING DEPUTY SPEAKER: Member for Namatjira, happy Christmas and new year to you as well.

Mr GUNNER (Fannie Bay): Madam Acting Deputy Speaker, as 2017 draws to a close, I pay tribute to all those doing hard work across the Territory. I draw attention to those in the Fannie Bay electorate which I am very proud to represent. As Chief Minister, I can talk about the whole Territory, but tonight I want to give Fannie Bay some shout out.

First, I acknowledge the teachers, staff and educators preparing the next generation of Territorians to take their place in society as active and informed citizens. At Parap Primary School, the Echo Warriors made boomerang bags to reduce plastic bag use, ran a movie night on a solar-powered screen, and our teaching fellow students had the lead in an environmentally friendly lifestyle. The garden club gave students skills in growing and cooking healthy fruit and vegetables. In class, a student-programmed robot was very much like BB-8 droids – for any fellow *Star Wars* fans out there – setting up for a bright future and a fast-moving and technology-rich world.

Not to be outdone, students from Darwin Middle School were runners-up in the social sciences category of the Tournament of the Minds Australasian Pacific finals, where they competed against students from schools across Australia, New Zealand, Hong Kong and Thailand.

For Darwin High School students, the earth has no limit. Twenty-eight students flew to the USA for the Centre for Excellence NASA trip. We might also be seeing a few Darwin High students here in the Chamber in coming years, with Nisangi Wijesinghe, Emma Stevens and Eddie Gardiner winning the Senior Secondary School debating grand final.

I give special thanks to Parap Family Centre early childhood educator, Rebecca Noble, who retired this year after 32 years at the centre, for her service to children in our community.

It is currently footy season in the Territory, as I watched Tah's battle out on a soaking wet gardens oval. Cricket is another sport many of us will be tuning in to as the Ashes Series commences, but it is skipping that will be consuming the time of nine young Territorian athletes who will be representing Australia at the world skipping championships in Shanghai, China next year.

These skippers train locally at the NT Pump Jumpers and is astounding to watch their quick feet jump and weave—if you ever get an opportunity you will think, my God I could never do that—good luck to the team.

The Northern Territory Government was proud to support the Darwin Trailer Boat Club of a grant of \$450,000 enabling them to install a solar PV system. I want to include the CLP as well because this was a mutual commitment. This is great for the environment and great for the budget as it will reduce their power bill by 35% or \$3500 a month. This is a club which give back to our community, sporting organisations and activities such as Foodbank NT and the annual Sandbar Cricket Match in conjunction with Variety NT. Thank you to Alex Ehrlich and the team for your hard work and service to our community.

I also want to thank the outgoing Lord Mayor, Katrina Fong Lim, for her service and Darwin City Council's contribution to the Fannie Bay electorate, particularly the redevelopment of the Parap Swimming Pool which is due to open early next year. Maybe a soft opening just before that, maybe late December or more likely early New Year with a hard opening around Australia Day. The pool will be the first FINA compliant pool in the Territory allowing Darwin to host national swimming competitions, training and events.

I congratulate newly elected Lord Mayor, Kon Vatskalis, and look forward to working with him on the next stage of Parap pool—something we have been talking about for a long time—the preschool which is very old and out of date, the Parap Family Centre, a couple of streets away which is also old and getting very constrained and how government and council can work together to deliver for the kids at Parap pool using the land there.

It is something we have talked about before and got very close to doing under previous iterations under Labor governments and Darwin City Council. For stage one of the Parap pool to meet the budget from the Australian Government, the Territory government and the federal government that delivered what they delivered, but we obviously want to make sure we look after the kids—and the buildings there are getting very old.

Mr WOOD: Kids in the rural area need a pool. We are still waiting.

Mr GUNNER: I will pick up on the Member for Nelson's point. We can look after the kids in the rural area too, there is not a fight between kids there are simply some very old buildings there that we have been working towards fixing for a while.

On a much sadder note I want to pay tribute to Pearly, a 20 year old horse, who died after being attacked by a bow and arrow at the Fannie Bay Equestrian Club. Condolences to Mel, Alana, Inga, Colleen, Lisa and all those at the club. Pearl's loss is felt throughout the Fannie Bay community and will not be forgotten. It is home for my regular family days. It is easily the most popular one I do. The horses out there are much loved and we knew Pearly and Hollywood Hitman who was also injured. You feel for the kids and the families who heavily and emotionally invested at the Fannie Bay Equestrian Club—it is a very difficult time and I think it is important while we celebrate many things and Christmas day—that I pay tribute and pay respect to them and I have had many conversations with them since the incident about what we can do to help.

To the north of the electorate, thank you to Judy Miller, Jean Prapaka and the team at the Coconut Grove Senior School. It is a fantastic space for our community and I was lucky to host the Fannie Bay's seniors lunch as well as attend a Melbourne Cup day lunch and hat parade with the Member for Nightcliff. We had the very difficult task of picking a winner out of a line-up of extraordinary hats. Thankfully I could share the blame and credit with Natasha. One of the hardest things you can ever do as a politician is judge a contest, it is one of the most difficult things you do. The Governor-General gave me some very good advice about what you do. You turn to the person next to you and you ask them for their very informed opinion and you essentially delegate. The Governor-General might be able to do that but as a politician you have to take the responsibility.

There are many others doing wonderful work throughout the Fannie Bay electorate. You make the place an honour to represent. Thank you and Merry Christmas to you, and in 2018 let us continue to work together to make our community better. I want to thank, while I am on my feet, all my staff in my office who work tirelessly. I might be out the front but they are out the back doing hours and hours of work. I have some staff who, I do not know how they maintain this effort but they are up at 4am, 5am, 6am every day. They like to start early. I thank all of my staff who work considerable hours.

At Parliament House we are looked after by a very big team from the Department of Legislative Assembly, from the Clerk down, the security at the front to the cleaners and a number of people through the team and we thank you very much. We could not do what we do without you. I want to pay my respects to you as well.

Like all of us, I have family and friends who support me to make sure I can rock up to work every day, happy, health and sane of mind. I thank them very much for what they do as well.

To my colleagues in this Chamber, sometimes we agree, sometimes we disagree, but I genuinely think all of us here are engaged in healthy debate about the benefit of the Territory. We have had some very difficult terms in recent times and I think it is a credit to all 25 of us, but in particular the opposition and crossbenchers. I think we have a much healthier level of debate this term, than we have experienced in recent terms, so I want to thank them for the spirit in which they enter that debate.

Gary Higgins, as the Leader of the Opposition, I enjoy his company and advice. We will often disagree on the floor, but there are many things we agree on. I think it is good that we find common ground and work on that. I thank Gary and wish him and Rhonda all the best.

Lia has a new addition to the family and we wish her all the best as well.

Thank you to the team, the crossbenchers, the Member for Nelson who keeps us honest. And to our big Labor team, thank you very much, it has been a sensational year working with you. It has been busy, but I constantly feel like we are making big steps towards a better Territory and if you were not doing that I do not know how you could get up every day and come to work. It makes coming to work a joy and I thank you for making this job a pleasure and a privilege.

I wish you all a merry Christmas.

Ms UIBO (Arnhem): Thank you, Mr Deputy Speaker. We would like to update the House in regards to the travel I have done around the electorate. The reason I do this every sittings, is because I honestly feel extremely privileged to have this role. I have such a large and diverse electorate that I really appreciate the time people give me when I am travelling whether they are family; friends; new people I meet in the electorate, whatever community or township they are from; I always appreciate their honesty and straight talking but also their questions and concerns and sharing the successes they experience in their electorate.

That is why I like to share this with the House. Not to show all the places I am travelling to, but to show all the great work being done in the electorate by the people I represent and feel privileged to represent.

In the second week of November I travelled to Ngukurr community. I arrived late in the afternoon, but was still able to spend an hour with the Ngukurr principal, Ms Linda Pascoe. I thank her for her time.

The accommodation I stayed at is the Darlala Motel, which is an Aboriginal-run business by the Yugul Mangi Development Corporation. I am always happy to support local businesses in my electorate.

The next day was jam-packed full of meetings in Ngukurr. On Tuesday 7 November I visited the Yugul Mangi office with the CEO, Bill Blackley; the Wellbeing Centre, which is operated by Sunrise Aboriginal Corporation and met Anne Taylor for the first time.

I visited the Sunrise Clinic which I had the privilege to open last month and it is well and truly up and running. Thank you to Phillipa Baird for her time in meeting me there at Sunrise.

The manager of Ngukurr Arts, Jude Emmett, who I have known for a quite a while, since I was teaching in Numbulwar and Karen Rogers, one of the local artists. I get to wear some of the beautiful jewellery that she has made. Hopefully I will have a dress next year with the beautiful print material I bought from Karen on my recent trip to Ngukurr. I am looking forward to starring it here.

Thank you to Jacqui, AJ and Celeste from the Ngukurr Language Centre for their time. I love popping in and seeing those ladies. Grant Thompson was not available unfortunately. They are all very passionate workers there and they are working on some wonderful projects and now in collaboration with the school for next years, which is fantastic.

That same afternoon I drove the well-known road to Numbulwar, the 150km two-hour drive, to be able to spend the night and visit family and friends. The next day I visited Numbulwar School and dropped off the last load of books from the Nightcliff Primary book drive coordinated by primary teachers Kia Frodie and Greg Hauser.

I was also able to pop into the office and the clinic for quick hellos before I flew to Groote that afternoon. Groote Eylandt was wonderful because we had a regional caucus and community Cabinet. It was wonderful to have some of my colleagues attend.

It was a jam-packed two days which started on Thursday with a 7:30am community breakfast at Angurugu, and I thank the CDP team and particularly Fiona and Jenny Teirnan on the 5th floor for organising that community breakfast. There was a wonderful showing of people and it was great to start the day with those conversations and support on the island.

I was able to travel alongside my colleague the Member for Drysdale and Minister for Education. We visited Angurugu School and visited FAFT and toured the school. Thank you Principal Stephanie Blitner for your time.

My colleagues and I and the ministerial staff on Groote met with Anindilyakwa Land Council. Thank you to the CEO Mark Hewitt and Chair, my uncle Tony [inaudible 17:16:29] and all the board of directors who attended. It was a full room and a very organised meeting with lots of interesting items discussed. It was productive and lots more conversations to be had from that meeting.

Ministers went to their cabinet meeting and myself and the Member for Fong Lim, Mr Jeff Collins, visited the Angurugu Police Station. Thank you to the senior officer in charge for her time, Ms Tania Woodcock, for showing us the plans for the new police station which is being tendered and will be constructed next year.

I was also able to accompany the Minister for Education to Umbakumba School, and I thank all the staff for their time. It was afternoon, everyone was tired, school had finished and kids had gone home, but they were all warm and generous with their time.

The next day I was able to visit Milyakburra School on Bickerton Island with the Minister and her adviser, Nadia Phillips. It was a wonderful trip over. Bickerton is my grandmother's country so it was beautiful flying over the water there.

We also visited Alyangula School. I thank the Principal and staff for their time there. It is a wonderful school with a fantastic success story this year. Year 12 graduate Travis Kendall, who is my electoral officer liaison's son – the oldest son of Kara Burgoyne – and tomorrow he graduates from Year 12 right here in Darwin with the NT Distance School of Learning.

Travis was featured in the ABC News today. Congratulations Travis, who I call brother. Congratulations baba, I'm very proud of you. The world is your oyster. You have done a fantastic job independently finishing Year 12 and the first Angurugu student in many years to complete Year 12 on the island.

Wonderful work from Travis and the support of his family and the school staff in Alyangula. Thank you very much to them for supporting Travis to complete Year 12.

I was lucky to be able to pop to Numbulwar for the weekend. I want to take the moment to acknowledge my colleagues who attended Groote Eylandt. The Members for Drysdale, Johnston, Casuarina, Fong Lim and Stuart, and also acknowledge the Ministerial and department staff from the Chief Minister's department. Thank you for supporting us on Groote Eylandt and across at Bickerton Island.

On Wednesday 15 November I attended the Northern Land Council full council meeting in Tennant Creek with several of my colleagues. It was great to hear some of the concerns from the NLC and I thank the full council for inviting us to attend and have those conversations directly with them.

I flew back to Katherine that same day and was invited to attend the Katherine YMCA youth event by Charles Moboti. That was pretty cool because Sean Kingston, the international superstar and singer, went all the way to Katherine and performed for about 150 to 200 young people.

It was wonderful to have an event like that. Congratulations to Charles and the manager, Tracy at the YMCA. I am looking forward to supporting more youth events in Katherine. As a resident it was fantastic to see those things happening through the YMCA.

That same week I was able to travel to Jabiru, one of my favourite parts of the electorate. I visited the Jabiru Area School. I would like to thank Ms Peta Wellings from the Office of the Chief Minister for being my company on the trip and attending all the meetings with me. I always love having the company of Wello, so thank you Peta for your time.

I would like to thank Mr John Grey, Ms Leanne Dunne from the school, the Kakadu FAFT program, Trish, Rhonda, Dionne and Graham for their time. That is ten weeks in, which is fantastic.

Also to the West Arnhem Regional Council Deputy Mayor, Councillor Anna Egerton, Councillor Elizabeth Williams and West Arnhem Regional Council Executive Manager Corporate Services Valentine Marquez who was instrumental in helping get the Jabiru sports complex resurfaced.

I would also like to thank Gillian May, Jabiru Library Coordinator for her time. We popped into the library, a good facility, and was interested to hear some of her ongoing plans.

Also to Foodland mob. They are always happy to see me pop in and support local business.

As I finish I would like to thank my electorate staff, the people who are in the background helping me do what I do and represent the Arnhem electorate as best I can. Brooke Brenner, my full-time electoral officer and her son Cash who often comes and supports on trips. It is holidays with Selena so hopefully more holidays next year for you Cash. Cara Burgoyne, my electoral liaison officer on Groote Eylandt, Ms Helen Lee, my electoral office assistant in Barunga. Thank you ladies, the strong women in my life to be able to support me.

I would also like to take this opportunity to thank my government colleagues. Thank you all for your support and I hope you all get a wonderful break this Christmas and New Year.

Thank you to the Opposition and the Independents for keeping in fun in the Chamber.

Thank you to the fifth floor staff. I appreciate being able to access ministerial offices as we need so we can represent our electorates to the best of our ability in particular Chris Grace. I always say it is your favourite person Gracie when I pop in. He has always got something that I am asking him about.

A big thank you to Peter Wellings whom I have already mentioned and Lynne Walker for their ongoing support and guidance. They are always willing to assist and travel with me around the electorate when they are available which I appreciate. That is time away from their family.

Thank you to Parliamentary security, the first faces that you see smiling at you at Parliament which is wonderful.

Thank you to the DLA staff and the cleaners. I often do the same as the Member for Braitling and frighten them when they are not expecting someone to stay late in the office.

I cannot go past saying a big thank you to my family and friends for your support and my wonderful partner Cory, who puts up with me, supports me and often does not get to see me at home. When we do get to see each other he is always looking after me. Thank you.

A merry Christmas and a happy new year to everybody.

Ms MANISON (Member for Wanguri): I will put my thanks on the record to all the people that have supported and helped me and made 2017 a busy, productive and fantastic year.

Firstly, I would like to thank my wonderful family: my husband Scott, my handful of a son Aiden, who is delightful and my beautiful daughter Grace who entered the world on 22 May this year, who so far is the perfect baby and little girl you could ever have.

I cannot thank my mother and father enough-Gary and Roseanne Manison who are the most hands-on grandparents you will ever meet. They are there to help me every day to ensure I can do this job. Their love and endless support for Scott, myself and being wonderful grandparents to my children is something I never take for granted. I cannot thank them enough for all their love and support, and sacrifice they make to support us.

To my brother Luke, his wife Tatyana and their new daughter Anastasia. Thanks again for being the best brother in the world. It is great to see your life is progressing in such a great way.

My auntie Jan and Uncle Lindsay O'Meara came up from Perth whilst Grace was just born to help out, take care of some animals at my parents' house: they managed to be on holiday when Grace came along. It was

not planned that way, but that is what happened. It was great to have Auntie Jan and Uncle Lindsay up to share that special time in my life.

A couple of weeks ago I said goodbye to my darling friend Mia. 15 years of unwavering support. My heart is still broken-I loved that girl. I wish dogs lived a longer life. Thank you Mia for 15 years of love.

To the McNeil family and the Herraman family-a great family, good fun. All the best to you for a very merry Christmas.

To my staff – the people who make such a difference in my working life and help me each and every day. My electorate officer is the wonderful Jennifer Djerrkura. Everyone knows Jenny. She will give everyone a bit of stick and a mouthful if they are not well behaved. She is an amazing woman and I cannot do it without her. She keeps me organised and in line and is wonderful support to everyone in the electorate.

Melanie Mayor who is my electorate officer assistant has been so professional and fantastic to have in the Wanguri electorate. She is doing an outstanding job.

My ministerial support staff consists of Richard O'Leary, Lesley Major, Jamie Gallacher, Phil Naylor, Kirsten McComiskie, Matt Ellis, Rowan Hayward, Pui Muir, Lauren Copley, Alice Gibb, Rebecca McAlear and Hayley Comley. Thank you so much. You are an amazing, diligent, professional, hard-working team. I can never get over the amount of commitment you give me and the Territory each and every day. I fully appreciate the sacrifices you make in your lives and with your families to be here doing your jobs. You are fantastic, wonderful people, personally and professionally. I have so much respect and admiration for you all. Thank you so much for all your dedication because I cannot do this without you guys. You are fantastic.

To the hard-working public servants in the departments I am fortunate to have with Andrew Kirkman and his team at the Department of Infrastructure, Planning and Logistics, Craig Graham and the Treasury team and of course, in the children's portfolio we are well supported by Jodie Ryan, Maria Mohr and Ken Davies from Territory Families doing an outstanding job leading the public sector. Thank you for all your hard work.

To my wonderful Wanguri electorate, the people who put a smile on my face every day when I go through those doors at Hibiscus. To Nelson, AJ, Rampal and the team at Nelson's – outstanding people feeding everyone lots of food and coffee, Gabby and Laurie, the cleaners, Fernando and Melissa over at Leonard's, Baby at the money exchange, Robyn at the newsagent, Tracey and the girls at Lime, Tania at the beautician, Joan – I am so sad you are no longer at Strawberry fields. Just having you around was so fantastic, but I am so happy you get to enjoy retired life now. You have been such a hard-working woman.

We have Matthew at the Chinese food shop, Laura, the centre manager. Our security guys and the trolley guys work really hard there too. Charlie at the checkout at Woolies- I always say, 'Thank you, Charlie'. Gary and George are at Q Framing and Pat and Jo are at the bakers. We have the wonderful team at the chemist. There are great people at that shopping centre. It is so nice to be part of that community.

To all our schools – Simon Duffy at Holy Spirit, Karen Kohler at St Andrew's Lutheran College, Leah Crockford at Leanyer, Jen Coad at Wanguri, and the new Mimik-Ga Centre – a wonderful place. You are doing a great job educating our kids. Thank you.

The Murraya Children's Centre is an amazing childcare centre, to say the least. I love the team there - they do such a wonderful job taking care of our kids in the community - Tara, Sonia, Kylie, Emma, Ashley, Sharna, Charuni, Resha and Kendall and all the other ladies. Aiden just loves spending time with you. All the kids do and you do such a great job with our kids. Thank you for all the work you do.

I say thank you to the wise constituents I have who are always happy to come and share with me their life experience and point of view. It is good because these people are generally very longstanding Territorians who have seen governments and politicians come and go. People come and go but they have been here for the long haul and have some great, wise words they can share with you. These are people such as Henry Gray, Kay and Alan Wright, Isobel and Johnny Walker, Dotty – an absolute champion – and Chandra. I always love catching up with them and for them to share with me their wisdom.

I say a big thank you to Mel Matheson who is my hairdresser. My goodness, if you want to know someone who knows everybody in the electorate and what the local issues are - Mel the hairdresser. She is an outstanding hairdresser, champion lady. I do not like it so much when I have had to play against her on the netball court, because she likes to have a good, hard contest. Great work, Mel.

Chris Grimm at DHA has been a fantastic guy to have at the helm. How timely to be able to acknowledge the people on the City of Darwin council. I acknowledge former longstanding alderman Gary Lambert, who did an outstanding job for the Richardson Ward for many years, who is now enjoying retirement and our former Lord Mayor, Katrina Fong Lim – two wonderful Territorians who worked very hard and tirelessly on the city of Darwin. We cannot thank you enough for your outstanding service to the community.

I also acknowledge my local Richardson Ward alderman, Rebecca Want De Rowe, Jimmy Bouhoris and George Lambrinidis – who I like to work with as closely as possible – for their hard work and I look forward to working with my constituent and new Lord Mayor, Kon Vatskalis. I also thank our local groups which make the community such a wonderful place; the international Buddhist centre, the Holy Spirit Church and St Martin de Pores, the Dreambuilders Church, the Chinese Christian Church, the Islamic Society of Darwin and the Uniting Church. Does that not sum up what a wonderful, multicultural community the Wanguri electorate is?

To my colleagues in this Chamber; you are an amazing group of people – I am talking about everyone, including the opposition and the independents. You inspire me, you truly do and I love seeing your dedication and passion and what I like most of all is being able to learn your story which brought you to this place. Many of them are so admirable and I have been fortunate to learn about your life journey, how you got here, see your passion and how hard to work for your electorate. It is a pleasure to be a part of this and have the robust debates with you because, ultimately, I have no doubt everybody in this Chamber is in it for the same reason which is to make the Territory a better place. It is an honour and privilege to serve with you all.

To the Legislative Assembly staff, thank you for your ongoing professionalism and advice. Then to our security team, the cleaners, Karen Sheldon Catering; you are a great support to all of us in this building and you are very much a part of this team and how the government runs each and every day and we thank you very much. I would just like to say thanks again to my electorate. Walking through Hibiscus to do the shopping on the Saturday is something that inspires me because you run into some great people – locals – and you hear some great stories. Going to work every day knowing that I am here to represent you is a pleasure. I cannot thank you enough for that honour and I will keep working as hard as I can for you going into 2018.

Merry Christmas everyone and I hope you have a wonderful time with your family, friends and loved ones and I am looking forward to a very productive year as we work hard for the Territory in 2018. All the best everybody, thank you.

VISITORS

Madam ACTING DEPUTY SPEAKER: Member for Sanderson, before you begin I would like to acknowledge the former Lord Mayor, Katrina Fong Lim and Mr Gary Lambert, who was my school principal in Batchelor. Nice to see you Mr Lambert. I grew up with a couple of your children. Very nice to see you here.

Mrs WORDEN (Sanderson): Two degrees of separation. I did my Christmas adjournment for those of you who were here last night which was done deliberately as we have some local government people here this evening. Madam Acting Deputy Speaker – I think that is the first time I have had to say that to someone else – for over 15 years I have been involved in elections of one form or another in the Northern Territory. I love a good campaign and anyone who knows me I really love them and there is nothing wrong with that. However, the recent local government elections were, without doubt, the most personally nasty I have seen. It is such a shame there was a deliberate effort by a few candidates to cast a shadow over the achievements of what was the 21st council and the former Mayor, Katrina Fong Lim. Being part of the team it was very hard not to take those claims personally.

It would be easy to blame the media for all the negative focus on what – I emphasise – were a couple of projects without really looking at the bigger picture which is what I am doing tonight. It is fair to say the media were just doing their job and a few candidates chose to throw as much dirt as possible rather than focus on what they can achieve. Sadly, some of them were part of the previous council and decision making and I fail to recall them speaking up at the time those decisions were made. It was fairly shameless and sad but that is the nature of elections.

Only time will tell on their capability to deliver but being the very positive person I am, now the dust has settled on the election I am taking the opportunity to put on the record the achievements of the 21st council of the City of Darwin. The 21st council had some excellent people with a community vision. They were all able to put aside personal politics for the interest of our great city. People like Helen Goulton, who is not here tonight but remains a great friend; the late Robyn Lesley; Bob Elix; Garry, with two Rs, Lambert; and Alan Mitchell. It is good to see some of my former colleagues here tonight.

Some of the long-term Aldermen have now retired. It is my intention during 2018 to adjourn further on some of the individual contributions of those retired members.

The 21st council had some great achievements. I will name a few of them now so they are on the public record. I think the quantum will impress us this evening.

The Nightcliff cafe—despite some very strong opposition it is a great project for me to remember. We hear the squeaky wheels in the community, the Nightcliff café comes to mind every time. It is a wonderful public amenity used by so many locals and visitors, and it is hard to get a table there.

The huge, expensive erosion control projects of over \$1.8m along the Nightcliff foreshore—if you are wandering along you will not see it, but work happened there to protect not only our beautiful public space but the homes.

We had to tackle heavy environmental risks at the dump in Shoal Bay, which navigated complex and significant contract difficulties and managing multimillion-dollar programs to ensure not only Darwin but the entire region was serviced well when it came to waste disposal.

The esplanade play area—all those families making good use of our space.

A six-year playground upgrade program with 55 playgrounds upgraded so far with park equipment and shade. Our young people and families are benefiting from that.

Who can forget the 75th anniversary of the Bombing of Darwin and the events across Darwin, such as the Cyclone Tracy 40-year commemorations, the Darwin city master plan—which was three-level government funded. Much of those projects are now being enacted.

The Safer City program—what an amazing project. For the first time local government is stepping into the space of leadership with the issue of alcohol. Local government does not sell alcohol, but it took great leadership in understanding that alcohol being used in public council spaces was bad for tourism. It is a great project, fully funded by council to help people get off the streets and into homes. There were some successes there and the program continues.

The Parap pool—imagine having to convince three levels of government to get that project off the ground. We talked about that project back in the 2000s.

The municipal bike path plan, which is paying for future growth of our city—Barneson Boulevard is three levels of government brought together over a long in the tooth project. I remember coming to Darwin in the 1980s and people were still talking about the Barneson tunnel.

Lee Point Road, Cavenagh Street and Esplanade upgrades cost \$1m per kilometres.

Who does not love scramble crossings? There was a great outrage at the time, but if you stand at a scramble crossing now—everybody just embraces it, and off we go. Love it or hate it.

Bradshaw Terrace illegal parking—people will be grateful at Casuarina over this festive season about the season for the measures that have been taken.

Solar panels at the Casuarina Library and the operational centre provide a sustainable future for council. The library service was massively improved, including rechargeable wheelchair points, and I was happy to have launched that.

The LED lighting trial on VRD Drive—have a look at the upgrades to that area.

My personal favourite is the planting of a community orchard, the first for our city, in the Jingili Water Gardens, with lovely plates that tell any visiting group what we grow there—all native.

The Anula regional park upgrade—I get to enjoy that every day.

Consultation and ultimate rejection of lights at the Gardens Golf Club—how difficult that was.

The automatic scanning of libraries that would free up staff to give you more advice when you are there; free Wi-Fi in the pools, cafés, mall and all public spaces; the jellyfish art statement on entry to East Point; the

East Point biodiversity plan; free Saturday morning parking; the car parking strategy; the Jingili skate park, which the Member for Johnston would love; and Muirhead's stage one approvals.

That is just what I could remember off the top of my head. I noticed in the paper yesterday that the project I initiated, the Garden of Light, which focuses on suicide prevention and creating a beautiful space for families, is now getting a Guernsey. We secured that funding within the term of the 21st council. There would be plenty more that we achieved, but that is a quick mind dump.

I described the 21st council as a collaborative financially responsible and high functioning council that work together to take our city forward. To give context, it made more than 1000 decisions every year and conducted itself in line with its 10-year publicly consulted plan. Being on council is more than roads, rates and rubbish. It includes at least 30 hours a week dedicated to reading papers, attending meetings, making informed decisions, taking part in public consultation programs and one-on-one help with ratepayers in Darwin.

For most of us that was in addition to a full-time job and family responsibilities. Katrina was a consultative and visionary leader who took her council with her, always with the best outcome from the people of Darwin in mind. She has the deepest respect of all the former aldermen and the staff, over 350 of them.

I am proud to put on record, onto *Hansard*, and history will show that the 21st council of the City of Darwin delivered for the people of Darwin. They may wish to think on that when they next visit the Nightcliff foreshore café to grab a coffee or visit their local park.

Mr WOOD (Nelson): Madam Acting Deputy Speaker, I also would like to welcome Katrina and Gary. I have known them for a while. Gary introduced some strange form of government to (inaudible) but it has never recovered from that. Otherwise I get to see him in relation to motorsport, and I see Katrina from time to time dressed in green. It always reminds me of Kermit the Frog. That is a nice thing.

Thank you, Member for Sanderson, for a good speech that supports local government, which can sometimes get a bit of a hammering from this level of government. In the past it has been hammered by governments which regarded it as a second rate form of government when it is not. We always say it is a third tier and made sure we did not say it was a third level.

I would also like to say a few thank yous tonight. Staff always know they will get a few thank yous for all the hard work they do. Even so, I see them sitting here tonight staring at a computer. I am not sure whether they can give us a cricket score. They are most important in the running of the Assembly. It could not run without them.

The Hansard people are most important. All the people who look after our committees—we have some fantastic people. You see the reports that come before the council. Look how well written they are. They turn gobbledygook from a meeting and turn it into something you can read and something that is good for the Assembly which hopefully turns into something good for the community.

I have been using the research ladies this year, and they do a terrific job. They are somewhere up there on the third floor. It is a difficult floor because there is no lift directly to it. They are in the old education section, which is a very comfortable part of building. It is quite a spacious area.

The cleaners and I have the same issues as Serena. They sometimes come into my office when they do not think anyone is there and get a fright. We usually calm them down and they are OK.

Security are great people. You can always have a chat with them, especially if you had a bad day. It is a bit like coming home and talking to the dog. They are neutral and you can have a chat with them about the day and how they are going. I appreciate being able to talk to them.

Also the people at the library, people like Kaye Henderson and Isla, they do a great job. I use them when I can for research. I hope I have not missed anyone there. Also, the rest of the library staff as well.

My staff, they are fantastic people. I do not have a lot. If you are independent. I have my EO, electorate officer, and she is a fantastic lady. She lets me know what she thinks. Believe it or not, I can tell you, she does not always agree with me. We can have our differences of opinion but she is a lovely lady. Still likes a beer, still likes a fag, and might even like an occasional bet on the races. That's the bit I do as well occasionally. She is down to earth and she is a great woman and I am really proud she is my EO.

I have a couple of other people that come in and help every now and then. Kerry, she is the deputy you might say when Kim cannot be on the job. Helen use to work with me, she wrote the book about Maningrida, Helen von Sharpe. She did work for me as a part time research officer in previous days. Of course, that job got axed. Monica who is just new, she comes just in case there is someone sick.

I would like to thank all of the fellow people in the house here. It is, I must admit, difficult at times being in such a small group on this side, especially when you have got small opposition. You feel like there is more responsibility than ever to try to debate every issue we can. That can be fairly hard at times as there are so many issues that come up—trying to research them and trying to put some good thoughts into the debate. It is not always that easy.

To all the rural members, Member for Goyder and the Member for Daly, thank you for all your help. We are a little united at least. We have got some sort of team there—I am nearly scared of that word at times because I am also proud of my independence. That is why I am here. I do thank them for their support and help and we do try to get things done for our part of the world.

The local fire brigades, they are fantastic. I have got two fire brigades in my electorate plus one bush fire council area which touches on part of my electorate and all the school councils. I try to get to many councils as possible. I have got nine schools either in my electorate or just over the border and probably 10 if I count Mackillop which is only 700m down the road from my electorate.

Trying to get to every council meeting is not impossible, but we do try to get to the assemblies and we do try to get to the dance nights and some of those dance nights are the best nights. I think that schools forget the educational side, they play a very important part of being part of the community where it is one of the few chances communities get together once or twice a year. It will happen soon because there is all the year 6 assemblies coming up—Year 6 graduation nights. I cannot believe there is such a thing as year 6 graduation nights. We just said tada, and that was it. We left.

I also have to thank my grandchildren. I have one grandchildren just gone off to do sort of an apprenticeship with Bank of Queensland. I have got my two other grandchildren still at school, St Johns and my eldest who has been out of work for a long time has got a job.

Life can get depressing when I go home, but when he said he has got a job at the new Coles shopping centre at Palmerston. Hallelujah. It is not open, that is the only problem. They are still working on it. He has been selected to work there so I am hoping that he can continue with that job.

My own three children; Angela, Caroline and Joanne. Lovely girls. Have to be, they are a bit of my wife and they have a bit of me. They have come out pretty well. Brown skin girls are pretty attractive and they are still attractive to me, I think they are beautiful girls. They are all three goal umpires and am I proud of that. Angela is now the coach of the AFL NT Goal Umpires and Joanne is one of the premier league goal umpires and we are trying to convince Caroline, who has done some premier league, to just get a little bit more confidence. Then I will have three premier league goal umpires in my family.

I do not thank my eldest daughter for getting two cheeky dogs from a Kununurra camp. My niece works over there as a police officer and she brought home two dogs from one of the camps. Now I know where the phrase cheeky dogs comes from. You cannot train those dogs but we have extra company at home now.

To my wonderful wife Imelda, I do not know how she puts up with me. She hardly sees me but I do try to make the effort now to take my work home. People may have heard my computer was knocked off the table recently and I lost all my work, because the cheeky dogs decided they would take the wires off my computer.

I was working at home just to tell my wife I am here, and my computer came crashing to the ground. So \$600 or \$700 later I got my hard drive back.

There have been a lot of issues this year, a lot of planning issues, especially in the rural area. The activity centres have taken up an enormous amount of time and will continue to take up a lot of time in the rural area. Noonamah Ridge, Humpty Doo, Berry Springs, all those activity centres are still going to be discussed. I thank the Member for Wanguri for her nice words. She is most helpful with those sorts of issues.

I found it difficult this year. I cannot say it is something I have always looked forward to. There are issues I do not enjoy. The issue of RU486 and the issue of same sex marriage.

People might say I am a bit out of date and I might be for some people, but I will stand here and promote what I believe are values for life, for the family, and if some of those are a bit outdated, well you have to put up with me. They are what I believe in and that is why I am here. Thank you.

Ms LAWLER (Drysdale): Madam Acting Deputy Speaker, I will not speak for long because this is part two of my adjournment on Tuesday night. I spoke on Tuesday night about the wonderful people in the education department and I would also like to mention and thank the stakeholders in education.

COGSO, the Council of Government Schools Organisation, Tabby Fudge is the president. Tabby is out at Girraween School and is a parent out there. Michelle Parker is the executive officer. They work very hard for the kids and families of the Territory. It is wonderful to be able to meet with them regularly and get their perspective, hear from their members what they firmly believe about the issues around education.

Thank you very much to Tabby and Michelle for the work they do for Territory families. COGSO have done some great work in our bush schools as well around governance training for school councils. They are doing a really good job out there and I value their input.

To the Australian Education Union, Jarvis Ryan and Adam Lampie and their executive and all their members. It is an EBA year and will probably continue into next year. I have been a member for over 30 years of the AEU and continue to be a member. I know their work is important and know that like me, they also have the best interests of teachers in mind when they are negotiating.

The Northern Territory Principals Association, Sabina Smith the president and her executive are a group of people I meet with monthly. It is important to hear the views of the Principals in the Northern Territory. I have always said that being a Principal is one of the toughest jobs.

Besides the social and emotional strain and the hard work Principals have, there are so many layers to their job. It requires managing the staff in the school, the behaviour management of students, working with families, and managing upward into the department and all the way up to the Minister.

To all of the Principals in the Northern Territory, you are doing an amazing job. It is really important that I meet with the Principals Association to hear their voice.

One of the big pieces of work this year was to work with them to develop a wellbeing framework for our Principals. I firmly believe we need to look after our Principals. It is not a job that many people want to put a hand up for. We need to have the role as a job of choice, and we need more assistant Principals putting their hands up to be Principals, and we need to make sure we look after our Principals.

A good, healthy Principal is a great leader and can then support their teaching staff and students. It is that sort of flow-on effect.

We use the analogy about pulling down the oxygen mask when you are on a plane, the advice is always to put the oxygen mask on yourself before you look after your children well it is a bit like that for principals. We need to make sure our principals are fit, well and healthy and all around those mental health issues as well so they that they can then be a great support and great leaders in our school.

The Association of Independent Schools association, Gail Barker and Cherly—we meet with them regularly. The independent schools, the non-government schools in the Territory, Christian Schools Association, Deborah Schwarz and the Catholic Education, Michael Avery who is retiring. Michael Avery has spent about 10 years leading Catholic Education in the Northern Territory—I wish him well. Greg O'Malain, is going to be the CEO of Catholic Education starting next year and I look forward to working with Greg.

It is important in the Northern Territory that we work with our private schools as well and I have a good relationship with the independent schools, the Christian schools, Catholic schools association. As I said they do some heavy lifting out in some of our remotes where we do not have government schools.

Places such as Gingerporter, Wadeye, on Bathurst Island—we only have independent non-government schools in those areas so it is important that we do work with those non-government schools also.

I very thank much all of our key stakeholders in education—teachers truly do a remarkable job every single day in the Territory. To all the teachers in the Territory I wish you well, I wish you a merry Christmas. I hope you get to have a relaxing Christmas break and that you get an opportunity to recuperate to re-energise that you come back in the New Year bright and happy and ready for another wonderful year. It is important that

that break is used to really relax and re-energise. It is a hard working tough profession so that break is well needed by our teachers. Thank you very much to the education side.

Back to my electorate of Palmerston, I would like to mention a couple of big events that we have that have done very well this year—the people at the Palmerston markets, the Member for Brennan and I are there at the Palmerston markets every Friday night. We think they are the best markets in the Territory. It is lovely and cool of an evening in the Dry Season, the food is great, the company is great, there is always some lovely music to listen to, and there are plenty of areas to sit down. We miss them in the Wet Season.

To the committee and stall holders, Merry Christmas to all of you.

The Palmerston Golf Club has the PGA this year for the second year. It was a wonderful tournament this year. A good crowd was there. We look forward to the PGA in Palmerston growing and being one of those landmark events in the Territory sporting events calendar. It is a great event for Palmerston to stage. I thank all the volunteers who help with the PGA for their time and effort. Those events would not happen unless you had hard-working volunteers. I also thank the committee at the Palmerston Golf Club for all they do. It was a wonderful event.

The Satellite City BMX had the NT titles—a huge amount of work goes into running these events, the organising and making sure the track is up to speed. It is a wonderful facility. Well done and congratulations for having the NT titles at that new facility.

I should also mention that in the Drysdale electorate Michael Carter won the open men's with BMX. He is the open men's champion from the Drysdale electorate.

We had Streetball at the netball courts, which we turned into basketball courts, in Moulden. A special thanks goes to Rachel Fosdick from the Palmerston and Rural Basketball Association, as well as Selena Dalton who organised the event and ran the barbecue each Saturday night for six weeks.

It was a very successful event and a great partnership between a heap of people and organisations. We had the Oreos and police engagement officers there. We also had the Palmerston basketball people there. It was a great Saturday night, and lots of kids benefited from that. We look forward to it continuing next year.

The Autism NT lunch was held this year in the Drysdale electorate at Rydges Plaza. I know the Member for Sanderson mentioned Cherie Vance in her adjournment on Tuesday—Cherie who does an amazing job as the executive officer for Autism NT—it was lovely to have such a wonderful event in the Drysdale electorate and we hope that Autism NT consider coming back to the Drysdale electorate next year.

There is lots of good things that happen in Drysdale, as I said it is a little microcosm of the Territory there, but just to finish off I would like to say Merry Christmas to the constituents, all the people of the suburbs of Grey, Driver, Moulden, Yarrowonga, the businesses that are in that CBD area of Palmerston—Merry Christmas to you all. I hope you all get a chance to spend some time with your families, stay safe and enjoy your Christmas break and I look forward to working with you and for you again in 2018.

Mr McCARTHY (Barkly): I rise to pay my respects and sincere condolences to the family, friends and countrymen of Mr H Jappaljarri Bennett, 5 May 1918 to 12 November 2017.

Harry Bennett was born on the Warlmanpa Country in the Barkly on 5 May 1918. I was honoured when Harry walked into the Electorate office and advised me he had read my MLA column in the Tennant Creek and District Times for the past four years and he liked the stories, however if I wanted to listen to his story he would be happy to share it.

I valued the opportunity for learning from a true frontiersman and consequently organised a bush trip with Harry to the traditional country of his birth and listened carefully to the stories he shared gaining an incredible insight in to this respected senior, his amazing life, the history of Tennant Creek, the Barkly and the Northern Territory.

Harry was waiting outside at his place at exactly 8^{am} on the day decided and upon my arrival checked his watch like a station manager commenting, 'Oh, right on time, I like that.' He followed with, 'a red motor car, that's flash does it belong to the Government?'

As I pulled into the service station to fuel up Harry stated with authority, 'Have you got a gun? We don't need any tucker from here but a man always needs a gun in the bush for living off the land!'

We left town heading north west toward Warrego when Harry shared an oral history of Tennant Creek's mining era and when I reflected on his age, 94 years at that time I realised his knowledge spanned Indigenous traditional life, European community life at the Old Telegraph Station and the pioneering of the Tennant Creek goldfields from the early 1930's.

Harry talked about early mines in the area and the characters that operated them before advising me the Tennant Creek gold fields had three Government Stamp Batteries over the years, the first near the Orlando Mine, the second near the Peko Mine and the third on Battery Hill.

Harry worked at the Edna Beryl as a truck driver carting ore to the original stamp battery near the Orlando Mine for Al McDonald who made some money out of gold however leaving the gold fields without paying his employees in full.

Harry saw Al McDonald again years later in Tennant Creek however this time the old miner was destitute asking Harry for a 'few bob' that would buy him a drink. Harry provided a 'few shillings' for his ex-boss on that day testifying to his 'true blue' Australian mateship and compassion, an honourable trait of a past pioneering generation.

As we left the bitumen and headed north past Mad Mick's Mine, Harry started to talk of his childhood which naturally turned to diverse images of traditional Aboriginal people living in two worlds, first contact with the cattle stations, police and government figures and 'walk-a-bout' during wet season ceremony times when the stations 'bushed' their seasonal labour force.

Harry described his time as an Aboriginal child in the bush as the best days of his life, where he experienced total freedom as the clan would travel about their tribal lands setting up camps, performing ceremonies for the country and sacred sites and hunting 'in tune' with the bush where he described the innate knowledge of how the group moved across the land following the food sources and natural waters.

Harry retold how the old people told him of his birth place at 'Warr-loo-an-ing-ba' west of Banka Banka Station and of a series of events that saw his mother and others walking to Newcastle Waters Police Station where she took up a position as housekeeper for a Police Officer Jock Reid who Harry regarded with respect.

This police officer must have taken a shine to young Harry as he took the child on a number of patrols through the district that started his education into the ways of the European world. By the time Harry was nine or 10 years of age, one of Jock Reid's patrols ended at Birdum where Harry boarded the train with a group of other boys under police escort, bound for Pine Creek, what Harry Bennett describes as the time of separation of all the coloured people.

Harry's train trip did not terminate at Pine Creek as due to an accident with a fibrous native plant while playing as a young child he was blinded in his left eye and was sent on for medical treatment, ending up in the Kahlin Compound on Myilly Point in Darwin. After a full medical check-up, a consultation with an eye specialist and a short period in the compound Harry was back on the train to Pine Creek where he rejoined the group. He tells many stories of what were the stolen generation of Aboriginal children resulting from a government policy being enacted by a British colonial administration.

In a comical yet astute reflection Harry described how an old Chinese gentleman at the Pine Creek store, Jimmy Ah Toy, issued the boys with medicine bottles and taught them how to identify alluvial gold in the creeks around the town where returning with gold nuggets brought a reward of a large boiled lolly that just about cracked your jaw when you tried to eat it.

Harry's days at Pine Creek came to an end with another train trip to Birdum where the group of children were met by Sam Irvine in an old canvas-covered Reo truck that transported the group over 1 000 kilometres in five days traversing a rough bush track south to the Bungalow in Alice Springs. Harry describes this time as about 1934, 1935 when Tennant Creek was just starting up and everyone was galloping around the flat looking for water.

After a basic school education at the Bungalow Harry describes his first job as an assistant to the butcher, Gus Brandt at the Alice Springs cottages where in those days you were a jack-of-all-trades, processing cattle in the yards, slaughtering cattle, preparing the meat without refrigeration and then butchering the cuts for sale.

We had a good laugh when Harry described his first career change to shit-carting with a bloke by the name of Jim Butler that saw Harry operating a truck while collecting the toilet pans from the back lanes in a bygone era of the famous Alice Springs.

He retold the story of when the shit-cart rolled, covering the street with human faeces and upon questioning by the big, old police officer as WTF they thought they were doing, the boss was quick to respond and heard to say, 'No problem we are just conducting a stock take.'

Looking into the face of a 94-year-old gentleman at that time, telling you his life story in the bush is a humbling experience. You form amazing images of the scenes and historical times. Thinking about how calm and collected this old man was while recounting a brutal period in Australian history for Aboriginal people, severely impacting on generations to follow made me clearly examine my cultural moral code.

Harry simply described his departure from Alice Springs back to Tennant Creek as, 'You know what it is like as a young man-you just want to travel around and make a life for yourself.' However I cannot help thinking that his inner yearnings for family and country were the true motivators that saw him moving further north each year back to the country and people of his birth.

Upon arriving back in Tennant Creek Harry got in the famous Harold Williams store where he worked with a truck driver, Harry Morrison that led to a meeting with Harry Baxter where together they planned to look for work at Daly Waters in the pastoral industry. The pair split in Daly Waters with Harry Bennett travelling south to Newcastle Waters where a life-changing meeting with an uncle, Mick Bonning started a long and celebrated career as a drover, stockman and boundary rider across some of the remotest country on the continent.

Harry described his first droving trip as joining a mob from Wave Hill belonging to Lord Vestey that were taken through Anthony's Lagoon, Alexandria and Lake Nash where the mob was split up on the Rankine River with some going east to Camooweal and Morstone Station and the others southeast to Marianne Lake Station on the Georgina River.

Harry describes this operation as moving beef south to feed the army, because the bush telegraph was going wild with stories of the war. Some blokes were talking of how it would play out overseas yet others were talking of bombs being dropped on Darwin and Broome.

Contact with Alexandria Station led to a job offer from the manager, Harry Barnes where Harry Bennett became a boundary rider, checking the expansive herd and the fences that kept them together before going to Gallipoli outstation to supervise the eastern side of what was the largest cattle station in the world.

Pastoral work was seasonal and at the end of each year the ringers were bushed to make their own way. That led Harry on occasion to finding greener pastures, in this case Mt Isa where he did not fancy drinking all day. Instead with a taste for work started at Stretton's Butchery. Once again he was in charge of the cattle, the slaughter yards and a boning knife in the butcher's shop.

He told a funny story of an old mate, Bill Cockerell, a blind Irishman he befriended, and of how they were on a boundary run checking fences in an old Army blitz truck where a stick glanced the windscreen, came in through the driver's window and lodged in Harry's good eye, sending him totally blind! So, there you had two men in charge of a truck and a big mob of cattle who were both blind! Harry knew the country so well he steered the old truck back to town, however, leaving his mate at camp to be aero-evacuated to Townsville Hospital to save the sight in his one good eye. Harry had to stay in Townsville for treatment and recovery, and true to form as a workaholic, got a job in the abattoir at Alligator Creek before returning to Mount Isa and the butchery, representing a career in the meat processing trade of 10 years.

Harry described his love of the bush giving him itchy feet, where he swapped jobs to look after May Downs Station, then leaving Queensland, journeying through the gulf country before returning to Tennant Creek and taking up employment at the government stamp battery.

Returning to the lucrative mining industry of Tennant Creek was a good move that put an industrial stamp on Harry's impressive career, leading to jobs with a diamond drilling company in the Alice Springs region, with the Land and Survey Branch and 10 years on a government roads gang in the southern region of the Northern Territory.

Harry's true love of the bush took him back to Banka Banka Station in his later life as a camp cook where he became famous for his bread cooked in a camp oven. While not giving up the recipe for the dough, he told

me about the special technique of placing a milk tin full of hot coals in the centre of the camp oven that would distribute the heat evenly for baking perfect loaves ...

Madam ACTING DEPUTY SPEAKER: Member for Barkly, I need you to wrap, please.

Mr McCARTHY: The incredible irony in a rich life came when Harry took an interest in the land rights movement and saw the need to support the Warlmanpa traditional owners in their claim over lands then occupied by the famous American millionaire, Nelson Bunker Hunt at Banka Banka Station.

Using his wisdom, knowledge and vast experience in two worlds, Harry supported the claimants that saw a successful land claim of traditional country covering Phillip Creek, Banka Banka and Muckaty where a series of Aboriginal outstations and pastoral leases coexist today, with local pastoralists leasing Aboriginal land to extend their grazing interests.

One has to stop and think about how Harry described the conclusion of his exemplary career in the Northern Territory pastoral industry when he boldly stated, 'Well, when I got involved in the land rights, that was when the station job ran out. I had no more job!'

Mr Harry Bennett, Aboriginal Australian, drover, stockman, butcher, miner, transport operator, meat worker, surveyor, civil construction worker, cook, father, grandfather and great-grandfather was destined for retirement and his loving family moved him into Tennant Creek, where Dr Tonga advised him to accept his gracious fate as an old age pensioner. Harry defiantly retorted, 'Doctor, I do not want that retirement, as there is no money in it.'

I had the honour, the pleasure and the good fortune of spending a day travelling through the bush on a trip with Harry Bennett in his 94th year that added another layer to who I am as a Territorian. I shall treasure that for the rest of my life.

In conclusion, I apologise to Harry's extended family, providing for his safe retirement in town, as when we crossed the Tennant Creek on the way home he bellowed, 'You know, I think I will blow a shift and give that appointment with the audiologist and dentist a miss. I will get myself a ride back to the station tomorrow, as the bush is the best place for people to be, young fella.' In the company of the incredible Mr Harry Bennett, I have to agree.

Harry passed away in Tennant Creek aged 99 years. May he rest in peace.

Mr GUYULA (Nhulunbuy): Madam Acting Deputy Speaker, first, I clarify for any members who were uncertain about a ban on fracking to protect country statement I read out in parliament last night. It was a statement made by community members from Alice Springs, Tennant Creek, Katherine, Mataranka, Jilkminggan, Minyerri, Borrooloola, Malinja, Darwin, Maningrida and Yuendumu whilst at a forum convened by the Sea Indigenous Youth Climate Network.

The community members came to Parliament House on Monday to present a statement and it was received by the member for Arnhem on behalf of the Chief Minister. The following members asked that their names be recorded, as they read the statement to the Member for Arnhem. May I?

Their names are Scott McDinny, Borrooloola, Wendy Roper, Borrooloola, Eleanor Dixon, Marlinja, Ned Hargraves, Yuendumu and Mathew Baker, Djukmingen. I also mention that it is over a year since I asked the parliament a question about speaking my own language first and using interpreters in the Chamber. I am still waiting for the opportunity to express myself and represent my people as an equal.

Now I would like the independent members who have given me guidance over the year and a friendly chat in our room. Opposition members have also been generous with offering support and the entire staff of the parliament for helping me as I have been learning in the first year in parliament. Thank you to the government members for providing briefings, information and support for the Nhulunbuy electorate. May the next year bind us together, allow us to achieve more for our communities and the Northern Territory as a whole.

Members: Hear, hear!

Mr GUYULA: Thank you to the Ngulnga people of North East Arnhem Land; in the face of so much adversity we are still standing but we have lost many of our families too soon. We must continue to stand strong and fight for our country, our law and our culture. To all of our Balunda brothers and sisters who will walk with us and respect our law, thank you. Keep walking with us. I know the weight you carry is great when you begin

to know the strength of our people and the unfairness with which we have been treated but we need you to keep walking.

Thank you to all of my electorate for your support. It is the first time Nhulunbuy has had an Ngulnga representative and an indigenous independent. My voice is clear for the people of my electorate, both Balunda and Ngulnga. May we continue to walk to path together towards treaty and self-determination and acknowledge our sovereign nations around Australia in order to give strength to a true Ngulnga and Balunda partnership.

Finally, I would like to thank my family for supporting me in this. They would not believe me when I told them I was running for parliament and they asked me, 'What did you say?' I told them I was running for parliament and they said, 'You must be mad.' I did it, they supported me and they stood with me. My wife and children have become leaders as well. Merry Christmas to all – the Chamber and everybody else.

Madam ACTING DEPUTY SPEAKER: Thank you member for Nhulunbuy. Merry Christmas and happy New Year to you and your electorate. Member for Katherine.

Ms NELSON (Katherine): Madam Deputy Speaker, I rise tonight to commend the Premier of Victoria, Daniel Andrews and his government on the historic passing of voluntary euthanasia laws which were passed in Victoria's upper house on Wednesday, 22 November 2017. There are few topics as popular and yet divisive as euthanasia; both sides raise compelling arguments and those arguments are numerous. The current prohibition on assisted suicide is at odds with our, otherwise, patient centred health system.

End of life care for the terminally ill or those with remedial illnesses is dictated by law, regardless of what is in the best interest of the patient. This is the one area in medical care in which the patient views cannot be considered and taken into account in determining a course of action for any of those who would seek assisted suicide and are not physically capable of taking their own life. Even where a person is capable of taking action themselves, it is in my opinion, barbaric to leave them with the choice between a potentially long and undignified death or violent options to take their own life.

22 years ago the Northern Territory was certainly at the forefront of the international debate over euthanasia on the 20 May 1995 it became the jurisdiction in the world to pass laws allowing a doctor to end the life of a terminally ill patient at the patients request.

In doing so, that law permitted both physician assisted suicide and active voluntary euthanasia in some circumstances. However, under the rights of the terminally ill act of 1995, strict conditions applied. It was neither an unqualified licence to kill nor an unqualified affirmation of a competent adult patients right to assistance in dying.

A couple of weeks ago I was visited in my electorate office by Sharon Camp and her husband Spud. Sharon's and Spud shared with me the story about Sharon's beautiful mother, Elizabeth Anne Holmes. Liz broke her back when she was 53 years old. She battled breast cancer for 12 years and had two hip replacements. One that dislocated itself early this year.

She had a terrific carer working in a bank, raising money in the Miss Australia quest, working as a model, worked in retail, she also worked as a divisional secretary for a prominent insurance company, worked also as a volunteer lifeline counsellor for 18 years. Most importantly, Liz was a devoted and dedicated wife and mother. Liz kept a very detailed diary, a diary which Sharon has shared with me.

Liz's diary explains in detail the decision she faced with before she took her own life this September. She was 77 years old. Sharon has also shared with me a letter that her mother wrote and I will read that letter now.

'To everyone I love, especially Wayne, Sharon and Wendy. I was so looking forward to my life after my two hip surgeries. I have not been able to walk or drive for years. I—sorry I cannot read this writing—for the first time after the second operation and I knew my life was ruined. My dream of training into Melbourne to visit my son and grandkids and also to Adelaide to catch the Ghan to see Shaz and Spud out of Darwin and my first trip to Wen and Daves home and my granddogs. Now I cannot even walk Katie!'

Katie was her dog.

'I thought okay, if I cannot walk, I will swim and I cannot do that as well. My grade four breast cancer has progressed and has broken through the skin and will infect people and become infected myself. I have had

24 years of pain. I am not going to burden my children and friends and have palliative care. What a farce that is! Because there is no option in New South Wales, I choose euthanasia. At least I could still drive but I am not capable of doing that. Never had an accident in 60 years. I have lost my confidence in driving. I have no independence. My licence has been cancelled. I have to pay to keep my garden, house and dog plus maintenance. I watch tv, I read, I do crosswords. I have become a hermit, with a dog called Katie, my saviour. I have nothing to look forward to but pain and indignity. We all should be able to choose when we die, so with great courage and no cowardice I go to God. An act of love. Please cremate Katie so she can be with me. Love, mum.

Our Chief Minister this afternoon stated that he asked the federal government to hand back the ability for the Northern Territory to make that decision, for us to make it in this Chamber. He stated that ensuring we all have control over our lives and are masters of our own destiny, is an essential guiding value of this government.

I put on record today that I support a person's right to die with dignity, when and how they choose to do so. On behalf of Sharon and Spud, the rest of their family and their friends, and in memory of their mother Liz Holmes and in loving memory of my father, who also had to make a difficult decision, I commit today to lobby to introduce voluntary euthanasia laws to the Northern Territory.

I end my adjournment with a poem that is in Liz Holmes' dedication book given out at her funeral.

A celebration of life.

Do not grieve for me. If my parting has left a void, then fill it with remembered joy. A friendship shared, a laugh, a kiss. Ah yes those things I too will miss.

Be not burdened with times of sorrow. I wish you the sunshine of tomorrow. My life has been full. I savoured much. Good friends, good times, a loved one's touch.

Perhaps my time seemed too brief. Do not lengthen it now in undue grief. Lift up your heart and share with me. Be happy. I am set free.

In memory of Liz Holmes.

I have the memorial book and a copy of Liz Holmes' diary and letter she wrote that I read tonight. I would like to table these in Parliament.

I have also shared this with all members to take the time to read through. It is an incredibly detailed diary and I encourage you to read it, so all of you have the opportunity to gain insight into what people go through when they make this decision.

Leave granted.

Ms AH KIT (Karama): Madam Acting Deputy Speaker, last night I acknowledged the great work and achievements of the schools, local businesses and local organisations in my electorate. This afternoon I would like to publicly acknowledge in greater detail the fantastic achievements of my local schools.

I will start with Holy Family Catholic Primary School, which has experienced amazing growth over the last year, with numbers increasing by 30 students. The school continues its learning powers journey, which is a way of thinking about themselves as learners, based on research out of Bristol University in the United Kingdom. It has helped both Holy Family staff and students work towards their vision of being authors of their own learning.

The school upgraded its courtyard this year with funds from the NT Government, and upgraded the staff room with federal funds.

A huge congratulations to Principal Shane Donohue and his team for a fantastic year. Thank you for allowing me to join you for assemblies, hand out my literacy awards to deserving students, and support your school in its fund raising initiatives. I look forward to supporting Holy Family Catholic Primary School to achieve even more next year.

O'Loughlin Catholic College has continued to serve our community with energy and passion, delivering high quality education which educates the whole person. The school promotes services to the community, and

once again the annual O'Loughlin day, which commemorates founder Bishop O'Loughlin, was a huge success.

Students were involved in many community activities, such as visiting primary schools, helping the RSPCA, organising care packages to be sent to our serving personnel and many more.

O'Loughlin staff have worked above and beyond so often this year to enable the students to strive to be the best they can be. It has been so pleasing to see the college able to offer every subject required to gain entry into University, TAFE, apprenticeships or any other pathway, and the school is looking forward to the excellent achievements of its 2017 graduating class.

Thank you to Principal Rek Bawldin for your leadership and commitment to your students, staff and community. It has been an honour for me to support our Lachlan Catholic College this year by attending assemblies and school events including the big ride, world's greatest shave and the school's 30th birthday celebration. I look forward to supporting you again in 2018.

This year I was lucky enough to have another government school added to my electorate with the gazettal of the Malak Re-engagement Centre. I have been fortunate enough to visit the MRC on a number of occasions and I have watched how hard the staff work to support students and vice versa. This hard work resulted in the MRC celebrating its first NTCET graduate and the enrolment of 60 new students.

This year the MRC also delivered more than 25 short and certified courses and provided professional development to the community on flexible learning practices and trauma informed practices.

2018 will see three MRC campuses located in Malak, Palmerston and Tivendale, supporting more than 130 young Territorians, which is very exciting.

Congratulations to Principal Michael Jones and his amazing team for a wonderful year, and best wishes to all students for the remainder of this year and your next endeavour.

2018 has been a great year of achievements, positive growth and learning at Malak Primary School. In May 2017 Malak Primary School underwent its second national quality framework assessment and ratings process, which rated the preschool service as exceeding national standards. This represents an outstanding achievement, which the school has been working towards since its first assessment three years ago.

The rigorous assessment process acknowledged the positive and respectful culture evident across the school and the rich, inclusive child centre program. The preschool team also featured on the local TV news around the piloting of the maths games research project with Melbourne University, and launching the NT preschool curriculum What's the Time, Mr Dingo? It provides a local flavour to an age old favourite.

Principal Lorraine Evans said she is very proud of the amazing team of Mr David Pleuth, Ms Mina McCarthy, Ms Barbara Davis and Ms Deb Wrigley, and the recognition of the quality program offered by Malak Preschool saying, 'If we can give all our students a great start to their learning journey, waking up their wonder and curiosity, making them feel they belong, we set them up for future success in learning and in life. That is good for us all.'

At the beginning of 2017 the Malak Primary major school improvement goal was set and shared that 100% of Malak students would show growth in reading using PATR, progressive achievement test reading. Teachers aim for every student to move up by one (inaudible) scale and PATR, which would represent strong growth in learning from whatever their starting point.

This was branded at the school's BHAG, big hairy audacious goal. It was complete with a very hairy orangutan mascot, who appeared at assemblies at literacy numeracy week. But this goal was not just about assemblies and a cut mascot. Malak teachers and students were all committed to this goal and worked very hard to develop a range of reading strategies for students to improve their reading. Individual goals were set for each student. Teachers spent a day revising best teaching practice and reading and planning lessons to develop the strategies to help the school achieve its goal.

In the recent end of the PATR assessments the results have given the school much to celebrate; 86% of students achieved growth with 52% of students achieving more than one years' growth over 2017. The school has half its number of students demonstrating a Year 1 reading standard and has increased the percentage of students reading at or above their year level.

While not measurable another positive outcome has been teacher and student fascination with their data. Students can articulate their reading goal, their strategies to work towards it and how they are progressing. It is a powerful growth mindset in action. The school did not work towards this alone. Partners and colleagues also contributed.

A project called Student to Student in partnership with the Smith family and Sanderson Middle School saw 12 Malak Primary School students give an extra reading practice with a middle school reading buddy via mobile phones. A partnership with the Sydney Theatre Company saw a teaching artist work with teachers and students to develop comprehensive skills through drama, and preschool and transition with support from ESL specialists and speech therapists.

The gateway to literacy program developed the foundations for reading and learning in the early years. Congratulations to Principal Lorraine Davies and her staff at Malak Primary School for all of the achievements this year. I have watched you tackle all of the challenges you have faced with a strategic approach and determination that allows you to stay focused and achieve. I look forward to working with you all in the school council of 2018.

The Manunda Primary School is another success story in my community. I am fortunate enough to attend weekly assemblies and present awards to deserving students. I always leave with a smile because there is nothing better than watching good behaviour being rewarded.

I give a special acknowledge to Mr Ron, who has been a fantastic eco warrior ambassador. Thank you to Mr Ron for taking the lead on behalf of the school to convert to an eco-school. With your oversight on the water and power audit and, my favourite initiative so far, the creation of a chicken coop.

A highlight of my year was reading a book about birds to a class of adorable Manunda Terrace students and presenting the class with 15 baby chicks for the coop. It is great to hear that all students have had the opportunity to contribute their food scraps to feed the chickens.

The school has hosted a number of fantastic events, including a forum for school leaders of the Sanderson Alliance on open day, and the first lot of swimming lessons for students for a number of years.

Thank you to Principal Lisa Hirschausen and Assistant Principal Kathy Dinoris for all your hard work in ensuring Manunda Terrace students reach their potential every day. I cannot wait to support you and your students next year.

My final school is Karama Primary School, which was able to celebrate its 35th birthday this year. The fantastic event allowed current and past students to take a trip down memory lane. The Karama Crocs team took out the top spot in the AFL interschool challenge in Term 3. Congratulations to coaches Courtney Bailey and Jack Long on your win, and to Cyril 'Junior Boy' Rioli for paying a special visit of encouragement to the Karama Crocs. I am sure that helped get them over the line.

Congratulations to Principal Tim Morgan and his staff for another successful year, and for allowing me to hand out certificates to deserving students at school assemblies. I look forward to working with you all next year and continuing to support your fundraising efforts and plans to deliver more for your students.

I want to touch on an important topic my colleague the Member for Namatjira spoke of in his adjournment. Many Territorians have lost a loved one this year. To all my colleagues in this Chamber and to those working in this building, to my constituents and all other Territorians who have lost a loved one this year, I send you my heartfelt sympathies. I know that the festive season can be an extremely hard time and I wish you all the warmest of thought and encourage you to look after yourselves.

Please note that there are many services available to support you, should you need them. Or be sure to talk to a close friend or family member who understands what you are going through.

I acknowledge two of my cousins who have had a difficult year. My cousin Carly and her partner Aaron, and my godsons, Jayden, Leon and Jacob—having to relocate for medical treatment with no prior warning was difficult, but not as difficult as having to live away from family and friends who could support you. I am glad to see you have adapted so well, and we cannot wait to have you home next year.

To my cousin Johnny, his wife, Jennifer, and my nieces and nephews—I am so sorry to hear about the recent passing of your beloved son and brother Clinton, or Sean as we know him. Sean was a beautiful young man who helped anyone whenever he could. It is tragic he was taken too soon from that car accident. I will

remember Sean for his never ending smile, the respect he gave everyone and received in return, and for the love he had for his family, friends and culture. You will be sorely missed, Sean. Sleep peacefully, my nephew.

Mr KIRBY (port Darwin): Madam Acting Deputy Speaker, I thank the Chung Wah Society for assisting us and holding a lovely seniors event recently. I also thank all the people who have helped me through 2017 and I am sure I will be leaning on all of them again for their love and support throughout next year.

I will speak more about my wonderful electorate of Port Darwin and the Darwin city shortly, but I would like to update the House about a great seniors Christmas lunch we held in the lovely electorate of Port Darwin, in the Chung Wah Hall, last week.

There is a group of seniors who get together at the Chung Wah Hall every Friday afternoon. They started a number of years ago. I am not sure if they have always met every week, but it is almost the 25th anniversary of the Chung Wah seniors getting together. At the 50th anniversary of the Bombing of Darwin they had some events and had organised some things. The seniors were interviewed about what Darwin was like before the war, and because of the seniors getting together and sharing stories the group was born.

It was touching to see some of the families that came in to the function at lunch time last Friday. There are very long-term Darwin families with people who grew up together and do not always have the opportunity to get together. and see each other very often anymore. To feel the family feel at the Chung Wah Hall that day was lovely.. While we have the minister in the House, as much as we get some bad news from the opposite side about our efforts with the seniors' changes, we got nothing about praise from the people about our efforts to make sure they are all a little more fairly treated in future. They were very happy with how things had panned out. They were happy to be there and we were happy to have them.

We had the museum open so people could come in before lunch and look through the museum. I encourage anybody to have a look if they get the opportunity.

Leila Chin, who is Melanie's mother, is about 82 years old and is one of the cooks in the kitchen and one of the reasons why the Chung Wah seniors is so popular on Friday. There were a few aunties who help Leila out in the kitchen. The allowed my electorate officer, Karen, to go into the kitchen. I do not think they allow too many people to go in it. I certainly was not going in because if you do the wrong thing, stand in the wrong spot or get in the way, you are growled at. I knew my place was on the other side of the bar, helping to serve food and saying thank you to everyone and making they all enjoyed themselves.

They meet there fortnightly to play Mahjong, drink tea, share some stories and have a great time. They organise hearing checks for people. Neville Jones regularly donates his time to volunteer and open the museum for the seniors and when other people are there as well.

I thank Brian Manning from the Darwin Middle School. He was gracious and great enough to bring some of the middle school children who were playing instruments and needed an opportunity to practice and play in front of people. They came and played a few Christmas carols and a few other tunes and entertained people for a time in the afternoon. It was a pleasure and treat to have them there.

I thank Austin and Melanie Chin from the bottom of my heart. Karen, my electorate officer approached Austin about an event there once we realised that there were seniors who already met there. It was just under 100 people who attended and they had a fantastic time. Hats off to Karen for the effort she put into making sure everyone had just the right amount to eat. She had some nice Christmas decorations on the table. We look forward to buying some more because some of the seniors liked them so much that we will not have all of our decorations for next year; we will be buying some more. It is fantastic to know that they enjoyed them that much.

From the bottom of my heart, I thank Austin and Melanie Chin for the work they do in the Chung Wah Society. It is fantastic. There is much history – Darwin and Territory history. We talked to people about their families being in the Pine Creek region since the 1880s and times like that. They were well-respected Territory families who had been there a long time. A big thanks to them.

Quickly, I also thank the Larrakeyah Primary School and the St Mary's Catholic Primary School for all of the hard work by all of their staff and teachers. They have fantastic students and it is lovely to be able to get there and present awards as often as we can. Both schools have gone through some construction work in the course of this year and will be bursting at the seams again next year with eager students. They are well-regarded institutions in the city of Darwin.

The early learning centres and all the educators who work there are very close to my heart. I have a family member who works in one of those centres – not in my electorate. Another family member will be attending one of those centres in the years to come.

The Darwin City Waterfront Retailers Association do some great work. They cop a lot—there has been some tough times through Darwin—I praise them for getting on the front foot and trying and working as hard as they can and I can honestly say I will be working as closely as I can with them next year to make sure that the city runs as well as it possibly can.

I congratulate the team in here, particularly for approving some of Cabinet's decisions to try to push and get more things happening through the city. We had some amazing events in the city this year

I was blessed enough to be able to do my first family fun day and it was a roaring success—the council's playground on the Esplanade was a massive hit, a great attraction and a beautiful spot to do a Sunday afternoon fun day.

Thanks to Karen Bouhoris in my office, Jody Stevens and more recently Lisa as assistant, all the hard working staffers here that help out and make running an electorate office a possibility. It is a very busy office being this close to where all the action is in the city, which is a lot of fun but does keep us very busy, so I thank everybody very much.

I would like to thank everybody in the Chamber for their compassion, their respect and their professionalism. Last night I caught up with a few family and friends after adjournment and they were extremely thankful for everybody's time and respect shown.

I realise that there are times in this House that we do not earn ourselves a lot of respect and there are probably times over the last few years that this House has lost a bit of respect in the public's eyes. I definitely know that last night we earned a bit back and we have gone a long way this year to earning it back. As a Chamber and as a group we have laughed and cried together and we have done a lot of different things together.

One thing we have not done is hid from any of the decisions that we have had to make and congratulations to everybody that puts their hand up because as we all know it is not an easy thing to do.

I have previously been a frontline worker and I commend all of the people that are on call and on duty over the Christmas break and I wish them a very quiet and very safe and happy festive season. I look forward to a bigger and better year through Port Darwin next year and continuing to work with all of you fine people in here.

Personally I have learned a great deal this year and I am sure I will again next year. I have become a father yet again. I finally got to celebrate my engagement with Bec a month or so ago so it has been a very fun-filled, fantastic and very busy year.

I would honestly like to wish all of the Assembly staff and all of the hard working staff and workers in Parliament House. A very happy, safe and merry Christmas and New Year and thank you for all of your hard work. I look forward to seeing you all back here next year.

Members: Hear, hear!

Ms WAKEFIELD (Braitling): Tonight I rise to speak about the privilege I have for being the Member for Braitling and what an honour it is to represent my home town of Alice Springs in this place.

Alice Springs is my home and it is a home that I have chosen for myself growing up elsewhere. I made a very conscious decision to make it my home. It is my home because it is quite simply the place where I cannot image raising my son and neither can my partner Gary, anywhere else. The lifestyle we get in Alice Springs is hard to match and I cannot image where else we would get all the great things we do elsewhere.

There is no doubt it is a town that pushes you out of your comfort zone at times but I have to say my belief in life is every step you take outside of your comfort zone changes you as a person but also makes you learn and grow.

One of the things about Alice Springs is I have learnt so much from that town and I am so proud to be in a position where I can give back to the community for everything I have got from it.

I love that Alice Springs is a mixture of the ancient and new and that on our doorstep are some of the most beautiful places in the world. You do not have to drive far to be struck by the beauty and be out in remote Australia, completely by yourself, surrounded by and wrapped around by the remoteness.

Also, one of the things I love about our town is that it is a melting-pot of cultures. As Minister for Multi-Culturalism I am very lucky to live in Alice Springs. Every day I can have that richness of talking to a person from Aranda country, a person from Warlpiri country, a person from India, a person from Africa. That adds so much to the experience of the town but also to me as a person hearing those stories about how people land and end up in our beautiful community.

That is something that I love about Alice Springs is that sense of community and compassion that people have of solving problems. We know we are in a remote part of the world and we have ourselves to rely on. People lend a hand to a neighbour. All of us who have moved there know what it is like to be there without your extended family, and you put your hand out to people who are new to town, or people who are born and bred. It is just one of those towns.

It is a place of ruggedness, and harshness and a harsh environment. Sometimes that harshness is an aspect of our town that we need to address as a community. Just like any community, challenging things do happen. One of the issues that we have been facing for several decades. It has been a discussion for the whole 14 years I have lived in town is anti-social and criminal behaviour.

We need to be honest about the great things about our town, but also the challenges that we face as a community. I have been genuinely humbled over the last 14 months with the people who have talked to me about their experiences, who have shared their wisdom and experience in the town. These are people who would never support my particular brand of politics but are committed to our community, want to be part of the solutions and work together. I would like to thank them. I will not name them in here. They have been behind the scenes, giving me great advice and challenging assumptions that I might have.

I know that is the way forward, working together.

I have been proud to be in a position to start working on these challenges in our community and the problems we have. It has been a humbling experience. To be straightforward, none of the answers are in a straight line, none of the solutions are easy or else someone would have done them a long time ago. We do not have all the answers but what I do know is that we need to have those tough conversations and to challenge each other in a way that is respectful but also focussed on solutions.

Listening to people, one of the hardest things is to sit and listen to someone who has been a victim of crime. The fear it brings, all of the things that are hard about experiencing crime, feeling unsafe. I have done it for many years—over ten years working with victims of domestic and family violence. In this job I see it as a privilege to sit and listen to someone's story, but some of them are hard to listen to.

I want to acknowledge that it is my job, as the member for Brainting to hear those personal and community feelings of anger and frustration, and the desire to act in a way that may not be in anyone's best interest. We need to have those conversations and to use those experiences and that energy to put into solutions that will work.

That is the job of the government to listen to people, to have those hard conversations and share those concerns. We do share the communities concerns, particularly around youth crime. That is why we have been working this hard this year to have an overhaul of our youth justice system.

I want to be clear. There has been some discussion this week in my community around what we are doing. I want to be clear. We are not shutting Don Dale and letting kids out on the street. We are going to go through this in a way that is staged. We know we need a better youth justice system that works. We will be investing in other infrastructure, but we will not be reacting in a way that will only help the community—we know that if we did anything sudden it would not help the young people involved or the community. It certainly would not be a long-term solution to our problems.

We are not soft on crime. The courts set penalties, and the role of government is to give the courts the sentencing, service and referral options that can make decisions about young people who are making bad decisions. We need to support the courts with the tools to effectively do their job.

The police have put in place Operation Shulton and Strike Force Winx. That is about policing in the places that are most needed—hot spots. We are making good policing decisions based on information. We are listening to the community and reacting to what is happening.

Between July and October Winx arrested 93 young people, recovered 11 stolen vehicles and laid 359 charges. Over the past 12 months proactive patrols in Alice Springs have increased from 13 000 to 23 000. People have noticed that there are more police doing community-based policing, walking around and talking to people and engaging with the community. I commend the new leadership in Alice Springs police for their proactive response and willingness to work together.

The bottom line is that we can be reactive. People want to talk about a curfew and locking kids up because it sounds simple, but the reality is it does not work.

To keep our community safe, we have to do things differently to what we have. We need to have the courage to do things that work.

Alice Springs is my home; it is where I am raising my son. I am very privileged to represent Alice Springs.

I thank everyone who has talked to me this year and been willing to be part of solutions rather than yelling from the sidelines.

As a community, we have the wisdom to know there is no easy fix and we also have the courage to work together, have the hard conversations and make our town the community we know it is. It is a strong and fantastic place to live and bring up your children. We have problems and need to deal with them as a community and I look forward to continuing –what has been a privilege over the last 12 months – working closely with the community.

Over the next 12 months I will work on innovative, strong community based decisions based on the voice of the town. I promise to work hard and I will continue to listen and have the difficult conversations. I look forward to engaging in the conversations where there is disagreement but at the core of that disagreement is – the bottom line is that we love Alice Springs, we want the best for the town and I look forward to working on solutions, focussing on what is good about Alice Springs and enjoying the place we all call home. Thank you very much.

Mr SIEVERS (Brennan): Madam Acting Deputy Speaker, I will not be long. I presented my Christmas adjournment last night. I thank you for your support and it was a fantastic night; we all had good fun. This is our last parliamentary Sittings for the year and it has been an extremely busy and great year. From everyone in parliament house to every Territorian, have a very, very Merry, Merry Christmas and a safe New Year and we look forward to seeing you all in 2018. Thank you, Madam Acting Deputy Speaker.

Madam ACTING DEPUTY SPEAKER: Thank you, member for Brennan and I occur those sentiments.

Motion agreed to; the Assembly adjourned.