

Madam Speaker Purick took the Chair at 10 am.

VISITORS

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of two Year 5/6 classes from Malak Primary School, accompanied by their teachers Lorraine Kingham and Zowie Sumendra. Welcome to Parliament House. I hope you enjoy your time here.

Members: Hear, hear!

STATEMENT BY SPEAKER Permission to Film Budget Reply Speech

Madam SPEAKER: Honourable members, I advise that, pursuant to sessional order and as is the normal practice each year, I have given permission to film the Leader of the Opposition's reply to the budget speech.

APPROPRIATION (2016-2017) BILL (Serial 170)

Continued from 24 May 2016.

Mr GUNNER (Opposition Leader): Madam Speaker, it is safe to say there is much that Territory Labor and the CLP disagree on. However, one thing the Chief Minister and I agree on is that on 27 August the people of the Northern Territory will have a clear choice. Today I lay out the agenda for a Territory Labor government and a clear vision for the Territory I want to lead and live in, a Territory that is confident and growing, which values its people and natural resources, and where we say goodbye less often and hello more often. I want a Territory that invests in our children, setting them up for a healthy and productive future, with a government that understands investigating in education is the key to unlocking their future.

Territorians are crying out for a government worthy of their trust. I understand that winning this trust means putting trust in Territorians. A Territory Labor government will create the certainty and confidence we need to create and support jobs in partnership with the private sector.

We are a team united in a common cause of putting the Territory and our people first, a team that believes our best days are ahead of us, and we can achieve and overcome anything we put our minds to.

The one thing standing in the way of creating a better future for all Territorians is the CLP government sitting opposite us today. A little under four years ago Terry Mills and the CLP were entrusted with the great honour of leading the Northern Territory.

They were given the responsibility of leading a Northern Territory brimming with opportunity. We were growing faster than anywhere else in the nation, and we were consistently number one in economic reports across the country.

Our important and valuable public assets were strategic levers and we made steady and sustained investments in education, health and housing, and had delivered improvements for the lives of Territorians.

The Territory was led for 11 years by a Labor government creating opportunity. While being far from perfect, we always put the public interest ahead of the private interest.

Territorians were entitled to take Terry Mills and the CLP at their word when they voted for a change of government and leader in 2012.

Territorians were entitled to expect that the Chief Minister they voted for would still be their leader in seven months' time. We were entitled to trust the CLP to support Territory jobs. We were entitled to expect our strategic public assets would not be sold against our wishes. We were entitled to trust the CLP to continue to invest in education, health and housing.

We were entitled to expect that the public interest would come before the private interests of the CLP, its mates and the chosen few in the government's inner sanctum. It is absolutely clear that this trust was misplaced.

Every day under this CLP government has seen a betrayal of that trust. We were betrayed when this Chief Minister stabbed Terry Mills in the back while Terry was in Japan representing the Northern Territory.

We were betrayed when the CLP sold our TIO and our port against the clear wishes of Territorians. We were betrayed when the CLP took an axe to education and refused to continue investing in health and housing.

We were betrayed when the members of the CLP continually put their interests and those of their mates ahead of Territorians' interests.

This breach of trust represents a much broader failure of leadership, one which is inflicting enormous damage on the Northern Territory and making it harder to seize incredible opportunities and confront the complex challenges we face. A government without integrity is a government without credibility. A government without credibility cannot provide the leadership we need to secure our future.

The Northern Territory needs a government with credibility if we are to create jobs and build economic security in an increasingly volatile and dynamic global economy. We need a government with credibility if we are to successfully invest in our children and confront the unacceptable education, health and employment outcomes across the Northern Territory. A government without credibility simply cannot build the partnerships we need to successfully meet these challenges. Partnerships with the Commonwealth and other states and territories, as well as our friends across Asia, NGOs, business, industry, unions, Indigenous Territorians and environmental groups, are the key to unlocking opportunity and creating a better future.

As a born-and-raised Territory kid who has lived, learnt and worked across the Territory, I know we are at our best when we stick together. If we treat people with respect and are genuine about listening and understanding, we can build trust and establish partnerships that allow us to confront any challenge the Territory faces and make the most of our boundless opportunities.

This is the government I will lead if Territory Labor wins the trust of Territorians on 27 August. It will be a government that listens to and respects Territorians, and is open, transparent and accountable. Importantly, it will be a government with plans to tackle our immediate and long-term economic, social and environmental challenges.

Over the last 12 months I have begun outlining Territory Labor's plans for our future to create jobs and support local business in the immediate, medium and long term. Our plan is to put children at the centre of government's focus and invest in the early years to improve health, education and employment outcomes in the long term, and restore integrity, trust and confidence in government in the Northern Territory.

Today I will expand on these plans and how they will meet the considerable challenges Territorians face in the coming months, years and decades ahead. I will also outline how we will work to fix the enormous damage inflicted on the Territory by four years of CLP government. Delivering these plans takes a team, united in purpose and focused on stable and mature government, which always puts the Territory people first. When last in government, Territory Labor delivered seven surplus budgets in a row. We will deliver these plans in a fiscally responsible way that supports jobs and Territory business.

We are facing difficult and challenging economic times. The Chief Minister said, 'The Territory economy is in a bit of a hole'. This hole has been dug by the CLP government and is larger than the CLP is prepared to admit. The CLP's

mismanagement, driven by the distraction of scandal and infighting, has taken away the focus needed to do the necessary hard work and grind of government. Territorians have seen this. It has been written in the *NT News*, screened on the ABC and Channel Nine, and broadcast on Mix 104.9 FM.

Territorians have cringed as we have watched our government ridiculed for its lack of integrity and its instability. This attention to self-interest, rather than the Territory's best interest, has led the CLP to fail in the most important economic job it had to do, which was to prepare the Territory for the post-INPEX construction phase. The fallout of this failure is being felt by Territorians.

Yesterday's budget was an excuse for the damaging loss of certainty and confidence that swept through Territory business. It is a tidal wave that has not yet receded. The loss of jobs, population and confidence in our future falls at the feet of the CLP.

For the first time since the late 1990s the number of jobs and the work available in the Territory is falling. This is driving a population exodus. Since the CLP took office, 8000 more people have gone interstate than have arrived here. This is an all-time low and a tragic record. Our population growth is the lowest in the nation. Five major national leading economic organisations have reported their deep concerns about the Territory's lack of jobs and population loss.

The March 2016 Deloitte Access Economics report shows that car sales have slumped, population gains have dropped, job levels are fragile, room occupancy rates have slumped and retail turnover growth has been on the back foot for over a year.

The Manpower national survey on employment shows that job seekers can expect the weakest hiring climate since the region was first measured. The real estate local market report shows that house and unit sales across the Territory have plummeted. House sales have dropped by 30% in Darwin, 47% in Palmerston and 50% in Alice Springs. Unit sales are lower.

The Real Estate Institute of the Northern Territory has said these are the lowest figures since records began. The Sensis Business Index has attitudes across Territory government policies at -7%. Worse still, expectations for the year ahead are the lowest nationally at -29%. The Commonwealth Bank CommSec *State of the States* report has the Territory economy slipping from first to third with a downward arrow.

The Australian Bureau of Statistics shows that there are now 3600 fewer people in jobs in the Territory economy than this time last year.

Every statistic speaks to the damage inflicted on Territorians and their families by CLP incompetence. The cost of the CLP's bungled policies – the bungled Buy Local scheme – is immense. It may cost us a small manufacturing base. Steel fabricators are being undercut by southern competitors and dumped steel from China. That is 60 businesses with 500 direct employees relying on them for work. Once this industry goes, it will be gone forever. I have spoken with contractors who are taking on work at cost just to keep their employees in a job.

The CLP government has continually pulled the wrong policy levers. The CLP raised power tariffs by 30% overnight, breaking its election promise and increasing the cost of living for every Territorian as well as the cost of doing business in the Territory. The CLP wrecked the gas deal with Rio Tinto, destroying hundreds of jobs in Nhulunbuy.

By his own words the Chief Minister is tricky and plays games. This has cost us in negotiations with the Australian government. Being tricky and playing games explains why Queensland and WA received \$97m of the \$100m in federal grants for beef roads, and the Territory received just \$3m. Being tricky and playing games explains why the Northern Australia Infrastructure Facility headquarters went to Cairns, and why the Territory ended up with just one representative on the NAIF Board. Being tricky and playing games explains the CLP's failure to claw back the massive cuts in funds for health and education the Australian government has made.

Actions speak louder than words. The CLP has fundamentally destroyed any confidence or credibility the Australian government has in this Territory government. This leaves us cut adrift from the Developing the North agenda and increases the work the next Northern Territory government must do.

The February stimulus package was a belated admission by the CLP of the harsh reality being experienced by Territory businesses and how their budgets have failed over the previous three years. However, the arrogant refusal to listen and acknowledge this reality for so long means this stimulus is too little too late for many Territorians and their families. It is time for the endless reshuffles and scandals to end and for the real work of government to start.

If elected, Labor will act immediately to get money flowing through the local economy, create certainty through proper planning and stable,

competent government, and reinforce confidence by listening to Territorians and delivering tangible results.

The Territory economy is in a much deeper hole than this CLP government has admitted. We know from the Territory's Budget Paper No 2, page six, that employment growth is expected to soften. Unless we address the failure to create more jobs and the need to do so over the next two years, the Territory will be in deep trouble.

Labor believes that in two years we will be able to transition the Territory economy from the INPEX construction phase through to the new Defence investment stimulus. Between then and now the government must act to create jobs across the Territory. To do this, Labor will fund an additional \$100m in infrastructure spending to create and support jobs. We will fund the stimulus by not proceeding with the government's intention to place \$100m of additional port money into the Northern Territory Infrastructure Development Fund.

Labor's infrastructure expenditure will be targeted to locals on smart small capital works projects, and repairs and maintenance across government that gives locals the best chance at finding work.

We will provide this stimulus through a real buy local policy that will see projects and tenders written with the schedules that drive local content through the tender. As the Chamber of Manufacturers said, unless you get your tenders and their schedules right, local content can still be minimised.

Labor will also ensure that these tenders and contracts are properly audited to ensure local businesses are receiving their share of the work. If you fail, you will be black-marked. Unlike the CLP, Labor will heavily invest in remote housing in Indigenous communities, using our own funds to leverage local jobs and further Commonwealth and private investment.

Labor will bring forward significant funding for our proposed Room To Breathe NT program, which will see outdoor living areas, verandas, granny flats and other rooms added onto existing housing through communities. An amount of \$20m would be put into this program.

The CLP has talked big on housing but failed to deliver, with just one new additional house in remote communities since July 2014 under the national partnership agreement.

Labor's long-term investment in remote housing will total \$1.1bn over 10 years. It is the most significant commitment by any Territory government in the history of the Territory. It will

create local jobs and reduce the cycle of poverty that is intertwined with poor housing.

The CLP's decision to create a statutory authority to administer remote housing funding is bad policy. Labor will work directly with locals as there are local Indigenous businesses and enterprises that are more than capable of doing this work. We will not set up another layer of bureaucracy and move people further away from decision-making. Labor will save \$1m and abolish this CLP idea.

Labor will also use the \$100m stimulus funds to implement our infrastructure commitment to create an iconic national arts trail. An amount of \$10m will be allocated to works in East Arnhem Land for upgrading art galleries in communities in that region, and \$10m will be provided for an extension to the Godinmayin Yijard Rivers Arts and Cultural Centre in Katherine. During our first term Labor will provide a \$10m extension to the Nyinkka Nyunyu gallery in Tennant Creek. Labor will also develop for delivery, beginning in 2019-20, an iconic national Indigenous art gallery to be based in Alice Springs.

Labor has been inundated by schools supporting the idea of \$300 000 of flexible funding to meet the needs of schools. Every school has needs. These funds will be provided over four years and will be supported by \$5m over the same period for our vital homelands schools.

There will be an injection of funds to upgrade, repair and maintain sporting stadiums, grounds and facilities across the Territory. This will include upgrading Marrara, with \$3m for facilities to provide strong support for growing women's sport. Additionally, Labor will provide a package of further upgrades to Marrara that will be detailed in the future. There will be a capital grants program of \$5m per year for ablution blocks, scoreboards and shading for ovals in remote communities. There will be \$5m for an upgrade of sports and recreation facilities in Tennant Creek to add shade and shelter at the pool and skate park. We will provide a facelift for the old tennis courts to create a multipurpose sporting facility, including netball, and provide basketball rings in various community town camps. This will be part of a regional package addressing youth in that important centre. There will also be lights at Gardens Oval and Nightcliff Oval.

I now turn to Labor's plans for first home buyers. The CLP made a critical mistake in scrapping first home owner support for existing houses and units. Yesterday it made a half step towards recovery, but it is not enough. It is too little, too late. Labor intends to provide a significant injection into the housing market and jobs in the Territory by providing real incentives, properly targeted to first home owners. Under a Labor government first

home buyers will not pay stamp duty on the first \$500 000 of their purchase of existing homes. This will see them receive a \$24 000 tax break. First home buyers going into a new home will retain the existing \$26 000 concession. House and unit prices will be capped at \$650 000.

In addition to the stamp duty relief for the next two years, Labor will provide \$10 000 to first home buyers to undertake home renovations. Labor recognises it can be hard for first home buyers to set up their first home. Up to \$2000 of the \$10 000 can be spent locally on buying household furniture and whitegoods. First home buyers going into a new home can also access the \$2000. These renovations and purchases must be made locally. This means first home buyers under a Labor government will receive \$34 000 to put back into the Territory economy.

Labor's plans for \$10 000 in home renovations is fairer and better targeted than the CLP's \$2000 grant for home renovations. Taxpayer funds should go to people who need the money. We think first home owners need this assistance more than the Chief Minister or I do. The programs devised should be workable. A grant of \$10 000 is a real grant and will stimulate real work. It will see a significant increase in work for tradies and small-time contractors across the Northern Territory. The \$20m allocated by the CLP to this program will be used to pay for the latest stamp duty relief and renovations grant.

In addition to creating jobs in traditional areas of employment, Labor wishes to stimulate the innovation and creativity of Territorians by investing in our people and in infrastructure that supports innovation and renewable energy. Seizing the opportunities presented by revolutions in renewable energy and technology, particularly digital technology currently sweeping the global economy, is a key challenge for any plan to create and maintain high-wage jobs.

If elected, Labor will give Territory innovators the support they need to create jobs in the Territory. We will create local angel investor groups, connecting innovators through the development of hubs, and support innovators directly through an innovator-in-residence program and seed funding.

I have outlined Labor's stimulus proposals that will get money flowing locally again. The second task is to rebuild certainty in the Territory economy. We will repair the damage done by four years of CLP incompetence, infighting and arrogance. We will put a stop to revolving-door Cabinets, fractious infighting and policy by thought bubble, inconsistently applied with impossible time lines. We will engage the public service, the business community and the broader Territory as a whole to

provide proper planning, underpinning the growth, development and diversification of our economy.

We will have an economic blueprint in place, the Northern Territory jobs plan. Our jobs plan will focus on broadening the economic base of the Territory by investing in our traditional strengths and in new and emerging industries. Our Labor government will work to expand agribusiness, and the resources, tourism, international education and Defence industries. We will invest in industries emerging from our specialist health experience in tropical and desert health, and Aboriginal bush medicines. In the products of our amazing culture, art, food, fashion, and the experiences we will form from making solar and renewable energy work in the Northern Territory, we will create an outward looking, trade-focused economy, and our economic plans will have buy-in from all sectors.

Labor will hold an economic summit in 2017 that will frame Territory Labor budgets into the future. This summit will hear the voices of all industry sectors and people living in all regions as local meetings are held leading up to this summit. From this summit I will sign up to 10-year plans that provide certainty to the community and industry, and that have been fully tested and consulted. That guarantees we are all moving in the same direction and the public dollar being spent unlocks private sector investment. This is how we grow together as a confident Northern Territory.

Our infrastructure plan will focus on four key investment priorities:

1. creating a stronger transport and logistics grid for the Territory
2. upgrading the tourism product across the Territory
3. investing in the infrastructure that supports innovation and renewable energy in the Territory
4. investing in social infrastructure, especially education, health and housing.

Labor believes that tourism is crucial to delivering more jobs for Territorians. However, contrary to CLP spin, there is no doubt the Territory's tourism industry is patchy. Despite a massive increase in Chinese tourism across the nation, the Territory sees very few visitors. As part of our stimulus package, Labor will add an additional \$5m over two years to the tourism budget to develop a specific industry-led Asian tourism attraction drive. Additionally, we will focus on developing and growing our relationship with India, an important tourism market that has not been developed to

date. The Territory is home to thousands of Indian people. We proudly have a member of parliament of Indian descent, the member for Casuarina. Labor is well placed to lead this pivot to India, connecting our local residents with their homeland and building a bridge between our communities that will lead to more tourists, more trade, more international students and a strong growth plan for the Territory.

In addition to boosting our long-term attractiveness, Labor will undertake major infrastructure investment in renewing our tourism product. We will encourage private sector investment in tourism, but we recognise this is one area in which the government needs to play a significant role.

I have outlined how Labor intends to grow jobs by getting money flowing through the community immediately. I have also outlined how we will build certainty in the Territory. These policies will build confidence in our economy and help us create jobs. However, the confidence and long-term health of our economy is put at risk if we do not protect our natural assets now and for future generations.

Bad environmental policy is dumb economic policy. The CLP has shown that not only can it not be trusted to protect our environment, but it is incapable of understanding how important a healthy environment is for our economic future.

Labor's approach to fracking, environmental regulation and protecting our precious water resources shows that we understand how important good environmental policy is to economic security.

Labor also understands the threat and opportunities faced by climate change. A Territory Labor government will adopt a renewable energy target of 50% by 2030. We do so because we recognise the enormous threat posed by failure to act for the environment, our economy and the future our children will inherit.

We also understand the enormous economic and employment opportunities for the Northern Territory in becoming a world leader in the creation and adoption of solar and renewable technology. Labor will release more details of our renewable energy plans in the coming weeks and months.

I can guarantee Territorians that the centre of our renewables plan will be our publicly-owned Power and Water. Territorians should be under no illusion as to what a returned CLP government would mean. It would mean that no matter what they say before the election, just like we saw with

TIO and the port, Power and Water will be sold by the CLP.

Territorians should have confidence in what their government says. We will return that confidence. These are the principles of our economic plans: to start the money flowing again locally; provide certainty; and restore confidence.

I have set a future Labor government two substantial tasks. One is growing the Territory economy to create and support jobs. The other major task that lays before us in government is transformational, an investment in our children that sees the Territory overcome our generational problems and sees our children achieve their best possible futures.

Let me turn now to how Labor's proposals to place a focus on Territory children will work. In my budget reply speech last year, I said that the Labor government would be defined by the way we look after children. Over the last 12 months Labor has hosted community forums on this issue across the Territory.

Clearly the community shares our view on the importance of our youngest Territorians. We believe it is critical for all Territorians to have the best possible start in life and for our schools and education system to be nation leading.

An investment in early childhood is a plan for the long-term future of the Northern Territory. If we implement the right programs that are evidence-based and coordinated across government agencies and the non-government sector, we have a much better chance of securing a more prosperous, decent and fair future for all Territorians.

The aim of Labor's early childhood program is to invest in the health, education and wellbeing of children from before birth until they reach school age so they can be school ready from day one, Term 1, Year 1. To do that we need to radically change the way government organises its priorities. A Territory Labor government will have a minister for children, who will be the Deputy Chief Minister, and the Department of the Chief Minister will play a leading role in improving social services on the ground. We will produce a comprehensive early childhood plan together with experts, providers and communities. It will be measurable and transparent, and we will set targets so we can put children on the path to lifelong good health with curiosity and creativity for learning, and reduced disadvantage.

I announced today a key element of our early childhood plan. There will be further announcements in coming weeks and months. Labor will extend the Nurse-Family Partnership

Program that is delivering great results in Alice Springs and surrounding towns through the Central Australian Aboriginal Congress. The Nurse-Family Partnership Program is a respected, evidence-based, sustainable visiting program targeting vulnerable individuals and families in their homes. Support starts from before birth with regular nurse-led home visits to support the health and development of a baby to toddlerhood, supporting parents every step of the way. This program is associated with reduced maternal smoking, improved home environments, less involvement with child protection, increased employment, reduced welfare services, less substance use and reduced criminality before the age of 15. This is a program that can transform lives. Not only does it invest in children, but in their parents and families.

The Australian government has already committed to expanding this program in another five locations across the Territory. Labor will leverage on this commitment by partnering to deliver a further five locations in our first term of government. We have allocated \$8m over four years to roll out this program. We want to see hubs established in Darwin, Tiwi, Wadeye, West Arnhem, Maningrida, East Arnhem, Katherine, Ngukurr and the Barkly, as well as services in Central Australia expanded. Labor's commitment alone will deliver an extra 30 family and child nurses and 15 Aboriginal family support workers to support an expanded roll-out. When the five sites are operational, Labor's commitment will deliver ongoing services to more than 500 children and their families every year.

If there is a silver bullet for breaking the cycle of poverty and dysfunction, it is education. Yet what we have seen from this CLP is massive cuts. The minister says it is about results, not money, but Labor has undertaken extensive discussion with the education community, and the cuts to education have been so severe many of our schools are experiencing high stress. The loss of 164 teachers when we need to be investing in education is mind-blowing. Labor will invest in children and education. This will be the single biggest investment we will make in recurrent expenditure in our first term in office. We will refocus Indigenous education and support teachers in their efforts to teach students and get better outcomes by investing in a strong school behaviour management program, early intervention and disability support.

A Labor government will reinvest an additional \$124m into Territory schools over four years, beginning on 1 January 2017. This will be made up of \$20m each year directly into schools budgets, putting back into schools the teachers cut by the CLP; \$8m per year into early intervention, behaviour management and disability support in schools, bringing back staff and

resources cut by the CLP; \$2m per year to create a program for school sport, arts and health across the Territory; and \$1m per year to support schools with business managers so principals can focus on educational leadership, supporting staff and students, and working in their community rather than getting stuck behind a desk and having to deal with administrative work.

Importantly, Labor intends to change the direction of the CLP's Indigenous education approach by returning decision-making to Indigenous people through the introduction of community-led schools. This will reverse the Territory government's actions; it has taken more decision-making away from communities. This principle of local decision-making is underpinning our policy approach. It is a part of a personal belief that if you want Territorians to trust you, you have to trust them.

This leads me to the third job of a Labor government, restoring trust and integrity to government in the Northern Territory. It is sad that restoring trust is on the to-do list of the next Northern Territory government. No one needs to be told of the scandals that have beset this CLP government. Four years of the CLP's dodgy deals, jobs for mates and an arrogant disdain for transparency and accountability have seen Territorians trust in government hit rock bottom.

Never before has a staff member of any Territory government been charged with corruption. Never before have we seen a Chief Minister accusing the police of plotting a coup against him. Never have we seen the blatant rewarding of mates with plum jobs or a deal to give massive water rights to the CLP candidate for Lingiari. Labor will introduce a Northern Territory independent commission against corruption. It will be independent from government and have broad-ranging self-referral powers. It will have the power to compel witnesses and documentation, and investigate matters which took place prior to its establishment.

Labor understands that the creation of a Territory ICAC involves complex legal and administrative issues, and we look forward to considering the recommendation of the Anti-Corruption Integrity and Misconduct Commission Inquiry being conducted by Mr Brian Martin QC.

We understand that restoring trust in government requires tackling the perception that large donations influence important public policy considerations, and that private interest can trump the public interest. That has not been helped with the disgraceful conduct of the CLP around Foundation 51, and the Chief Minister's refusal to be upfront about his involvement. Nor is it helped by comments like the Treasurer's, such as that opening your wallet opens the door to his office.

Over the coming weeks I will announce the most comprehensive reforms to electoral donation laws in the Territory's history. These reforms will give Territorians confidence that public interest, not the size of your wallet, determines public policy in the Territory. It will also ensure that the disgraceful Foundation 51 episode can never happen again.

Labor understands that restoring trust, integrity, certainty and confidence in government takes much more than these specific measures. It requires respect for Territorians and faith in our community to make decisions in the Territory's long-term best interests. That is why the government I want to lead will not dictate and will listen to Territorians, collaborate, build partnerships and strive to give Territorians, especially those in the bush, more power to make decisions about their future. I understand that trust is a two-way street. If a government seeks the trust of Territorians, it needs to put trust and power in their hands. A vote for Labor this August will deliver that kind of government.

I can guarantee Territorians that the program I have outlined today will be paid for within the existing expenditure envelope announced by the CLP yesterday. The last Labor government had the foresight to ensure there would be a public process by Treasury, the pre-election fiscal outlook, where we will submit all our promises and savings before the election. Our costings will be publicly available. Territorians can have full confidence that we will be a responsible government. After all, Labor delivered seven surplus budgets.

The choice at the next election is clear. It is a choice between a Territory Labor government that invests in kids and a CLP government that does not. It is a choice of a Territory Labor government that invests in schools or more cuts. It is a choice between a Territory Labor government with a real plan for jobs and a CLP government that will sell valuable public assets. It is a choice between a Territory Labor government that is open, accountable and transparent, and a Chief Minister allergic to the truth. I have faith in Territorians' judgment and I know that when we work together with respect and understanding, the Territory's limit is the sky.

I look forward to continuing to work to gain Territorians' trust over the coming months.

Debate adjourned.

**DISTINGUISHED VISITOR
Hon Syd Stirling**

Madam SPEAKER: Honourable members, I draw your attention to the presence in the gallery of past Deputy Chief Minister of the Northern

Territory, Syd Stirling. Welcome to Parliament House.

Members: Hear, hear!

**STAMP DUTY AMENDMENT (FIRST HOME OWNER DISCOUNT) BILL
(Serial 174)**

Bill presented and read a first time.

Mr TOLLNER (Treasurer): Madam Speaker, I moved that the bill be now read a second time.

The bill puts into place assistance to first home buyers in a responsible and affordable manner as part of the government's Budget 2016-17. The assistance is in the form of stamp duty relief to first home buyers of established homes.

Since being elected in 2012 this government has demonstrated its commitment to improving housing affordability and driving down the cost of living for all Territorians. This can be seen through policy such as the Real Housing for Growth Initiative, HomeBuild Access and successive land release programs. Home owner assistance was also targeted to encourage the construction of new housing supply. The government's policies have worked by helping to reduce the inflationary pressure on property prices, stimulate residential construction and lower rents.

The government also recognises the movements of the property cycle and the need to respond to a slowing residential market. There is a need to adapt and ensure that policies remain in tune with the state of the housing market.

With this in mind, I am pleased to announce that from today first home owners purchasing an established home will receive a stamp duty discount of up to \$10 000, with buyers of homes valued at up to \$449 200 receiving a stamp duty discount equating to 50%.

The discount is a temporary measure, aimed at providing a short-term stimulus to the residential property market while also assisting first home buyers to buy their first home by reducing their upfront transaction costs.

By introducing this assistance in the form of a stamp duty discount, rather than a cash grant or a full tax exemption, the government is confident that in this period of sluggish market activity, the new stamp duty discount will not place upward pressure on house prices.

Consistent with its overarching commitment to ensure that housing affordability remains a key priority, the first home owner discount will operate

from now until 1 July 2017, as a temporary measure. During the period of its operation the government will continue to closely monitor the property market to ensure our housing policies continue to best serve the needs of Territorians. This scheme may be extended depending on market conditions.

With improved housing affordability and lower interest rates, making loan repayments more manageable, by providing a stamp duty first home owner discount of up to \$10 000, the government is playing its part in helping to restore confidence in the market and provide an extra boost to Territorians seeking to enter the housing market for the first time.

Madam Speaker, I commend the bill to honourable members and table a copy of the associated explanatory statement.

Debate adjourned.

**PLANNING LEGISLATION AMENDMENT BILL
(Serial 178)**

Bill presented and read a first time.

Mr TOLLNER (Lands and Planning): Madam Speaker, I move that the bill be now read a second time.

The purpose of this bill is to amend the *Planning Act* to strengthen the role of the Northern Territory Planning Commission, or the commission, as it is known, and streamline planning processes. The bill also includes amendments to the *Planning Act* and Planning Regulations to ensure that certain long-term leases over Aboriginal land for government-owned infrastructure are valid without subdivision approval.

This government established the commission in 2012 to prepare integrated strategic land use plans, area plans and policies for inclusion in the Planning Scheme. The commission also advises the minister on significant development proposals. It exercises its functions independently, impartially and in the public interest according to the *Planning Act*. As part of developing its highly-detailed plans and policies, the commission conducts extensive community consultation to ensure that local knowledge and insights are properly considered.

The *Planning Act* outlines the process leading to a decision when someone requests that the minister amends the Planning Scheme by changing a zone, or that they be granted a permit to use or develop the land in a way which is otherwise prohibited by the Planning Scheme. Any proposal that will be considered by the minister is placed on

public exhibition. Anyone can make a submission about the proposal.

Section 21 then provides for a reporting body to receive any submissions and conduct a hearing in respect of those submissions. A report is prepared on issues raised in the submissions, the hearing and any other matters the reporting body considers the minister should take into account. The report and all submissions are provided to the minister, who considers the proposal and decides if the Planning Scheme will be amended or if an exceptional development permit is issued or varied.

This relatively straightforward bill repeals section 21 of the *Planning Act*, which currently provides for a division of the Development Consent Authority to be the reporting body. The functions of the reporting body described in sections 22, 23 and 24 are then assigned to the commission because of its broader strategic role and continuing extensive consultation with the community regarding the Planning Scheme.

The amendment to section 22 provides that hearings held in respect of submissions only require the chairperson or another member of the commission authorised by the chairperson to conduct them. This is because it would be unnecessarily onerous and costly to convene a meeting of the commission for the purpose of such a hearing. The logical involvement of the independent commission provided for by this bill will contribute to community confidence in strategic town planning issues and policies.

The other minor amendments in the bill relate to section 5 of the *Planning Act* and regulation 3A of the Planning Regulations. Regulation 3A was made in 2009 to exempt from the definition of subdivision certain long-term leases over Aboriginal land for government-owned infrastructure. It was required for the roll-out of the Strategic Indigenous Housing and Infrastructure Program to enable the establishment of secure tenure in a timely and efficient manner. The period of the exemption was extended in 2013 due to the complexities involved and the inclusion of housing and infrastructure being constructed under the National Partnership Agreement on Remote Indigenous Housing, or NPARIH as we all know it.

The exemption was originally drafted with the understanding that the relevant essential services infrastructure was owned by the Power and Water Corporation. In fact, the infrastructure belongs to the wholly-owned, not-for-profit subsidiary of the Power and Water Corporation, Indigenous Essential Services Pty Ltd, known as IES. Therefore the current regulation may not apply and these amendments to the act are required to

retrospectively ensure the validity of agreements entered into since the current regulation commenced.

This bill amends section 5 of the *Planning Act* to exclude from the definitions of subdivision, leases over Aboriginal land that were granted to IES after 29 June 2009 and before the commencement of these amendments. The bill also amends regulation 3A to include leases to IES after the commencement of these amendments.

I commend this bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL (Serial 177)

Bill presented and read a first time.

Mr GILES (Police, Fire and Emergency Services): Madam Speaker, I move that the bill be now read a second time.

By nature of their work, officers of the Northern Territory Police Force are likely to encounter a transfer of blood or bodily fluids from a person during the course of their duties, potentially exposing that officer to a risk of contracting an infectious disease. Police have been found to be a frequent occupational group reporting exposures, after healthcare workers.

The Northern Territory Police Force provides overall direction and advice to officers on the level of risk of contracting blood-borne viruses, appropriate reporting/recording of incidents and medical intervention processes, with officers mitigating the risk of exposure to biohazards through ensuring infection control health and safety processes are maintained at a high level.

Upon recruitment police officers are also provided with Hepatitis B vaccines, with a booster vaccination available after 10 years if required or if a blood test indicates insufficient antibodies to provide protection.

When a biological exposure incident occurs, the exposed police officer attends a healthcare facility for a medical practitioner to conduct a risk assessment. If significant exposure occurs the officer would submit a blood sample and, where appropriate, prophylactic treatment is provided. However, some blood-borne viruses have a long gestational period where the identification of antibodies can take some months. For example, human immunodeficiency viruses may take up to six months.

This can have the exposed police officer waiting for a lengthy period to confirm whether they have contracted an infectious disease. If they are undergoing post-exposure prophylaxis, the treatment itself may take some months and have substantial side effects.

You can imagine this causes extreme stress and anxiety for the police officer, their spouse or family and may restrict the officer's physical contact with them, including intimate relationships.

Currently section 145 of the *Police Administration Act* provides a power to allow intimate procedures, such as taking a sample of blood, to be carried out by a medical practitioner or registered dentist on a person in lawful custody on a charge of an offence. This would be on the basis that a police officer believes, on reasonable grounds, that the procedure may provide evidence relating to the offence or any other offence punishable by imprisonment.

The intimate procedure may be carried out if the person consents in writing or a Local Court judge approves the procedure being carried out.

The underlying purpose of section 145 is to permit intimate procedures to obtain evidence where there is a reasonable belief that the procedure may provide evidence relating to the offence or any other offence punishable by imprisonment.

The provision is intended to provide powers to the officer to gain evidence for investigative and prosecutorial purposes. In 2014-15 the Northern Territory Police Force recorded 35 biological exposure incidents involving a police officer. This includes incidents where a police officer was spat at with saliva or blood, or bitten.

To support officer welfare the Giles government is introducing legislation to permit the taking of a blood sample and for analysis of that sample for infectious diseases. The results of the analysis will not be used for any other purpose than to detect the presence/absence of an infectious disease and provide appropriate treatment and aftercare to the person and affected police officer.

The bill inserts new Division 7AA, 'Blood testing for infectious diseases', into the *Police Administration Act*, which will allow the taking of a blood sample from a person where that person has assaulted a police officer, or in the course of arrest or detention is suspected of transferring a substance to an officer.

The transfer of a substance in this context refers to transfer through penetration of a mucus membrane or broken skin. Circumstances that would trigger this power are if a person's saliva, blood or faeces makes contact with the broken

skin – or breaks the skin through a bite – or mucous membrane of a police officer, for example, mouth or eyes.

An example is if a person:

- (a) spits a substance on a police officer and it enters the police officer's mouth, eyes or nose, or it lands on an open wound on the police officer, or
- (b) throws or wipes the substance onto a police officer and it makes contact with the police officer's mouth or eyes, or it lands on an open wound on the police officer.

A common example of this in the policing environment is when an officer is processing a person in custody at the watch house after a physical altercation with another person. This person, while being searched by police, then spits saliva onto the police officer, which lands in his or her eye. The person's mouth is cut as a result of the early altercation; however, it is unknown if there was blood in the spittle. In this situation the officer is now exposed to a risk of contracting an infectious disease.

Circumstances in which this power would not be used are if a person:

- (a) bites a police officer and that police officer's skin remains intact from the bite
- (b) spits on the police officer and it makes contact with intact skin or the clothing of a police officer
- (c) throws or wipes a substance on a police officer where it makes contact with the intact skin or the clothing of the police officer.

Although they are disgusting acts, this acknowledges that the likelihood of a disease transmission is virtually nil.

The new provisions allow for an affected member or, where that member is unable, a senior member who is the rank of a superintendent or above who has the knowledge of the circumstance, to apply for a disease test authorisation. A member may apprehend and detain the transferor for as long as is reasonably necessary to enable the determination of the application. However, it is worth noting that this power is to cover situations where the transferor is detained in relation to an alleged offence and then is eligible to be released, but the application for the disease test approval was not completed by that time.

This will allow for extra time to consider the application, noting that this process must be

completed as soon as practicable after that apprehension. It also covers situations where there is a need to return the transferor to custody after they are released to enable the application to be determined.

In cases where the transferor is a protected person, for example, a child or incapable person, an application to the court must be made. The power to detain and apprehend during the consideration of an application to the court does not apply in this instance.

A disease test authorisation is made based on the grounds for suspecting there has been a transfer of substance from the transferor to a member, as a result of an assault by the transferor against the member or lawful apprehension or detention of the transferor by the member. If a disease test order is made by the court, this is appealable to the Supreme Court on behalf of the transferor by a third party. An appeal may also be made by an affected member if a disease test order is not made by the court.

The effect of an authorisation provides the authority for a blood sample to be taken from a transferor. It also allows police to apprehend and detain the transferor for as long as reasonably necessary, such as transporting the transferor to an appropriate facility to take a blood sample, or if the transferor is not already in custody it allows police to enter any place where the member suspects on reasonable grounds that the transferor might be located.

A medical practitioner nurse or qualified person must take the blood sample and may use force that is reasonably necessary for taking the blood. However, circumstances where there is serious risk that harm would be caused to the transferor or another person provides for the process to stop.

The analysis of the results is undertaken by a pathology laboratory and the results are provided to a restricted list of authorised persons. These authorised persons are: affected member; the transferor – if the transferor is a protected person then a responsible person or, if the transferor is deceased, the senior next of kin; medical practitioner, nurse or other health professional involved in the treating or providing care for an affected member or the transferor; and a psychiatrist, psychologist or social worker providing counselling for an affected member or the transferor.

I am advised by the Commissioner of Police this list is restricted to reduce the number of persons who may have access to sensitive health information. This information will not be kept on PROMIS, or the Police Real-time Online Management Information System.

Penalties are included in the bill to act as a deterrent for not complying with the new provisions. Significant penalties apply for failing to comply with the disease test authorisation and using the blood sample for purposes other than intended by the new provisions. Section 155 of the act has been repealed and replaced to cover circumstances where there is unauthorised disclosure of confidential information. Most notably the change is to standardise the offence.

The amendments to the act will reduce the anxiety and stress and provide some comfort to police officers who are exposed to the dangers and elements of their duties every day.

I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

VISITORS

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of a Year 4/5 class from Malak Primary School, accompanied by their teacher, Matthew Jones. Welcome to Parliament House. I hope you enjoy your time here.

Members: Hear, hear!

FIREARMS AND WEAPONS CONTROL LEGISLATION AMENDMENT BILL (Serial 171)

Bill presented and read a first time.

Mr GILES (Police, Fire and Emergency Services): Madam Speaker, I move that the bill be now read a second time.

The purpose of this bill is to amend the *Firearms Act*, *Firearms Regulations*, the *Weapons Control Act* and *Weapons Control Regulations* to increase the duration for which firearms licences and prohibited weapons licences are issued, provide an exemption for law enforcement officers to possess ammunition without licence, provide exemption to law enforcement officers to allow for the co-location and storage of firearms and ammunition, and change the definition of an officer of Customs to reflect recent changes and allow for those into the future.

I will now provide further detail of the provisions of the bill.

Increase the duration for which firearms licences and prohibited weapons licences are issued – for this purpose the bill amends section 14 of the *Firearms Act* to increase licence durations from five years to 10 years, and for those licences

which are currently for one or three years to five years.

Similarly, the bill amends the *Weapons Control Act* by amending section 14 to allow for licence durations for up to 10 years.

To accommodate the increased licence periods, Schedule 3 of the *Weapons Control Regulations* is also amended by increasing the fees for licences by a modest 50%. The mechanism for the minister to set *Firearms Act* fees is already established via section 6 and is not a subject of this bill.

Exemption for law enforcement officers to possess ammunition without licence – for the purpose of this bill we insert section 4(4A) into the *Firearms Act*, which exempts police officers and other related enforcement agencies from the provision regarding the possession of ammunition without a licence.

Exemption for law enforcement officers to allow for the co-location and storage of firearms and ammunition – for this purpose the bill inserts new sub-regulations into regulations 21 and 22 of the *Firearms Regulations*, which exempts police officers and other related enforcement agencies from the provisions regarding storage of ammunition separately from firearms.

Changing the definition of an officer of Customs – for this purpose the bill omits the current outdated definition of an officer of Customs and inserts ‘an officer of Customs as defined in section 4 of the *Customs Act 1901* (Cth)’, thus allowing for the recent change in name and any future changes.

This bill is an example of the government’s commitment to the Framing the Future blueprint objectives, including improving business productivity, building a safe, secure and resilient Northern Territory, and strengthening government service delivery.

The bill aligns with the government’s commitment to reducing red tape. It provides an opportunity to help service those in the recreational firearms industry to provide improved streamline of service, increasing the time frame of the licence to reduce the administrative burden on police and for ease of access to those within our community.

I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

TERRORISM (EMERGENCY POWERS) AMENDMENT BILL (Serial 175)

Bill presented and read a first time.

Mr GILES (Police, Fire and Emergency Services): Madam Speaker, I move that the bill be now read a second time.

The purpose of the bill is to amend the sunset clause with regard to preventative detention orders or prohibited contact orders. I will now provide further detail on the sunset provision of the bill.

For this purpose the objective of this regulatory action is to extend the sunset provision by an additional 10-year period. The additional 10-year period has an expiry of 30 June 2026. The existing legal provision expires on 28 June 2016. This initiative directly relates to the Northern Territory government’s commitment to a strong community and to building a safe, secure and resilient Northern Territory.

The extension of the sunset provision provides police with a critical investigative power with respect to ensuring public safety. The national terrorism threat level remains at probable, which outlines that credible intelligence assessed by our security agencies indicates that individuals or groups have developed both the intent and capability to conduct a terrorist attack in Australia.

Terrorism poses a significant threat to the community, and the nature of terrorism requires specialist police investigation capability. The ability for police to apply for preventative detention orders and prohibited contact orders when investigating terrorism-related offences is a critical investigative tool. There is the potential for numerous catastrophic risks in the form of terrorist attack should the proposal not be supported, and terrorism suspects are unable to be the subject of preventative detention orders or prohibited contact orders. These risks will be mitigated to a degree by the capability to use preventative detention orders or prohibited contact orders as supported by this proposal.

Should the existing provision regarding preventative detention orders and prohibited contact orders expire, the Northern Territory will be left with a critical loss of capability regarding investigation of terrorism offences. All Australian states and territories have similar legislation, with most of these jurisdictions’ sunset provisions related to preventative detention expiring recently. Most jurisdictions have thus extended their provisions in order to maintain this capability, with the remaining jurisdictions currently preparing extension legislation.

I commend the bill to honourable members and table a copy of the explanatory statement to accompany the bill.

Debate adjourned.

TRAINING AND SKILLS DEVELOPMENT BILL (Serial 172)

Bill presented and read a first time.

Mr STYLES (Employment and Training):
Madam Speaker, I move that the bill be now read a second time.

The purpose of this bill is to enact the new Training and Skills Development Act, a new act for the vocational education and training sector in the Northern Territory, and to repeal the current *Northern Territory Employment and Training Act*.

This new act reflects contemporary practices and will ensure the Northern Territory has modern legislation under which to govern and manage the Territory's vocational education and training sector, providing the platform to achieve maximum return on public investment in VET and reduce unnecessary red tape.

This bill provides for greater emphasis on training and skills development in the Northern Territory. Significant updates have been made to the current legislation to enable the provision of nationally recognised vocational education and training that meets the present and future needs of government, industry and the community, and supports employment and economic growth. It recognises industry as a key client of the Northern Territory VET system and broadens engagement through the proposed Northern Territory Training Commission, which will provide for greater participation by industry in setting the strategic directions for VET in the Territory.

The current *Northern Territory Employment and Training Act* has been in force since 2004 and has not been substantially reviewed since its introduction. Only minor amendments have been made to the current act in recent years, primarily due to changes in other legislation that require the current act to be updated accordingly.

The current act uses inconsistent language and contains outdated provisions. It does not accurately reflect a contemporary vocational education and training environment, and lacks the flexibility to meet the dynamic and ongoing changes in the national and local VET systems.

The new act provides greater breadth to allow for changing priorities and to manage complex elements within the vocational education and training system. Reforming the current act

presents an opportunity to establish a strong legislative basis to support changes to VET in the Territory and meet the changing nature of training, workforce and skills development into the future.

The review of the *Northern Territory Employment and Training Act* began in July 2014 with the release of a discussion paper. The interim Northern Territory Employment and Training Authority Advisory Board was established outside the current act to oversee the review of the act and to provide advice on VET matters to the Minister for Employment and Training. Consultation sessions with key VET sector stakeholders, including industry, were conducted across the Northern Territory. These stakeholders agreed that the current act needed to be updated to reflect contemporary practices, incorporate agreed national apprenticeship arrangements and strengthen industry engagement and interactions in the VET system.

It was determined that a new act would be more appropriate to achieve the review objectives, noting that parts of the current act are still relevant. Development of the new Training and Skills Development Bill was informed by feedback from the consultations with stakeholders, and the policy positions agreed to by the Northern Territory Employment and Training Authority Advisory Board.

There are a number of proposed changes I wish to bring to your attention.

The new act establishes the Northern Territory Training Commission, a statutory body that reports and is directly accountable to the minister for its functions and accountabilities provided for under the new act. The Northern Territory Training Commission will comprise nine members from industry, business and employers.

The goal is to seek the best industry knowledge on the Northern Territory Training Commission to make recommendations to government on the best way to ensure the skills needs of industry are met. The Northern Territory Training Commission is subject to the directions of the minister in the performance of its functions.

Prescribed in the new act is the NT Training Commission's responsibility for the development of a VET investment framework and development of an annual NT VET investment plan to guide the investment of public funds for training delivery.

The NT Training Commission will provide high-level strategic advice to the minister, and will submit its approved VET investment framework and annual investment plan to the minister.

The Commonwealth government has established a similar framework through the Australian Industry and Skills Committee to enable government to be more responsive to the needs of industry. The NT Training Commission, as a statutory body in legislation, will be supported by the Department of Business.

While the NT Training Commission will be established through this bill, it is foreshadowed that in the future an independent statutory authority will be established as a standalone body with the statutory authority and accountability over vocational education and training delivery and expenditure.

Until such time as this new independent statutory authority is established and operational, the NT Training Commission will undertake its function as outlined in this bill.

The current act includes national apprenticeship and general training arrangements that have been the subject of significant national reform since 2009, including ongoing action on inter-jurisdictional harmonisation of apprenticeship arrangements.

The Department of Business is the regulator of apprenticeship and traineeship arrangements in the Northern Territory, and the functions under the act may be delegated to other organisations.

The basic system of apprenticeships and traineeships is not changing and, to this end, the majority of the existing provisions for apprenticeships and traineeships are relevant for the new act. As such, provisions of the old act are being carried over and updated to bring them into line with the agreed national principles and practice.

The new act will strengthen the regulatory framework to better protect apprentices and trainees, and will provide for a more streamlined approach to apprenticeship and traineeship arrangements for employers. These reforms will better support the Department of Business as the regulator of apprenticeship and traineeship arrangements in the Northern Territory.

A new provision has been included to clarify the difference between apprenticeships (generally trades) and traineeships (non-trade) to make it clear that the new act applies to traineeships as well as apprenticeships, and to make the differences clearer to employers, prospective apprentices and trainees, and the community.

A number of provisions have been updated to strengthen the regulation of apprenticeships and traineeships, including prohibiting employers should they contravene the legislation.

Powers of entry and enforcement provisions have been maintained, including the framing of offences and setting of appropriate levels of penalty.

Consistent with this government's broader red tape initiatives, and to improve access to fair and transparent review processes, the single and independent Northern Territory Civil and Administrative Tribunal has been established. As such, there is no longer a need for a separate appeals and review tribunal under the new act. New provisions have been developed to allow for an internal review of decisions made by delegates of the Chief Executive Officer to ensure parties affected by decisions made in relation to a range of apprenticeship and traineeship matters that are reviewable have an avenue to request a review of a decision.

The objective is to provide access to an internal review mechanism that is fair and transparent for the Chief Executive Officer to review specific reviewable decisions.

Affected parties will be able to apply to the Chief Executive Officer for a review of a reviewable decision made by a delegate, which will allow the Department of Business to gain visibility on an issue and proactively address it. This will not preclude a person affected by a decision applying to the Northern Territory Civil and Administrative Tribunal for a review of a reviewable decision in certain circumstances, and then NT Civil and Administrative Tribunal review processes will apply.

This new act will broadly reflect the national training arrangements and high-level principles, for example, transparency, access and equity. This serves to encourage development of a strong training provider market, facilitate growth and development in the VET sector and reflect objectives that lead to a sustainable training market capable of delivering relevant training across the NT.

Finally, there are some consequential amendments proposed in the bill along with some minor updates. The provisions modernise the language used in the current act but do not change current policy or legal effect of those provisions. The matters of indemnity, confidentiality, disclosure of interest and the making of regulations will be covered in the new act.

Savings and transitional provisions to retain actions and decisions made under the repealed act will be contained in the new act.

Madam Speaker, I commend the bill to honourable members and table the explanatory statement to accompany the bill.

Debate adjourned.

**BAIL AMENDMENT BILL
(Serial 173)**

Bill presented and read a first time.

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

The purpose of the Bail Amendment Bill 2016 is to amend the *Bail Act* to deter property crime in the Territory by adding a presumption against bail for serial offenders. Under the amendments a presumption against bail will extend to persons who are arrested and have been previously convicted of two or more serious property crimes within the preceding two years. Additionally, under the amendments, a serial property offender will be required to enter into a conduct agreement which will include being fitted with an electronic monitoring device in the event that the presumption is rebutted.

The amendments to the *Bail Act* are necessary for a number of important reasons. There is considerable evidence that crimes are being committed by a relatively small group of repeat offenders who are undeterred by current arrangements.

Since the last election this government has made a great deal of progress in decreasing the frequency and severity of crimes being committed in the Northern Territory. The total crime rate is down by 12% over that period of time, equating to a drop of 3.6% per year. The property crime rate has decreased 15% Territory-wide since the CLP government was elected in August 2012, with a 19% decrease in Darwin, a 14% drop in Palmerston, a 17% drop in Alice Springs, a 16% drop in Katherine, an 8% drop in Tennant Creek and a 4% drop in the remainder of the NT.

A major contributing factor to the reduction in property crime in the Territory is this government's 2012 deployment of a specialist police unit, Strike Force Trident, specifically tasked with investigating property offences. The initiative has been hugely successful. For example, from September 2015 to February 2016 alone, Strike Force Trident was responsible for over 600 arrests and 3000 charges laid.

Despite these efforts, there remains a small and dedicated group of undeterred offenders in our community who have not been dissuaded by the increased police presence on our streets, repeated arrests or even imprisonment. Territory police have recently reported frustration over the cycle of reoffending they see on a daily basis. Police continually encounter habitual offenders,

particularly teen and young adult offenders, who are arrested time and time again for property crimes. Approximately 90% of the property offenders arrested by Strike Force Trident in this financial year, both youths and adults, have either been previously arrested or convicted of a property crime. The same families are dealt with on a routine basis. The problem has become intergenerational with patterns of crime being passed from parent to child and sibling to sibling.

Many of the repeat offenders the police encounter have not only been previously arrested for serious property crimes, but have also been convicted of those offences. Under the current provisions of the *Bail Act* previous convictions are not recognised as a basis for denying bail. In some instances these serial offenders are arrested while on bail for another offence or string of offences.

Given the disillusionment in the community and the police force over repeat offending, it is appropriate that this serious situation be addressed so serial offenders are not allowed to be free on bail only to commit further offences just hours or days after being released from gaol pending trial for a similar crime. The cycle of bail, reoffending, further bail and so on must be broken. The community deserves reassurance that the government has heard their complaints and is serious about curtailing the property crime in the Northern Territory.

Offenders must be made to understand they will be held to account for a pattern of sustained and continued criminal activity. It must be clear to offenders that consequences of continued offending are manifold, including a reduced likelihood of bail if you are arrested for a subsequent criminal offence.

The amendments will also assist the police in their proactive efforts to reduce property crime throughout the Northern Territory. While overall crime is generally down in the Territory, there are pockets of criminal behaviour that remain of concern. Residents of certain areas, such as Palmerston and Alice Springs, have expressed distress at repeated instances of antisocial and criminal behaviour by a small group of offenders who are often known to authorities due to previous arrests.

In order to address this situation, the government deployed additional police resources to Palmerston in the form of a detachment of Strike Force Trident investigators who were sent to address neighbourhood crime. Increased police presence and arrests are not solving the problem entirely, primarily because habitual offenders are released on bail shortly after their arrest and are at liberty to reoffend days, or even just hours, later.

Providing a mechanism to keep serial property offenders in gaol or under mandated supervision whilst awaiting trial serves two important functions to help reduce neighbourhood crime.

Firstly, it will serve as an important deterrent in that offenders will quickly learn that they are subject to a presumption against bail and will think very seriously before committing a subsequent property offence, as that will likely result in immediate time on remand or under electronic monitoring.

Secondly, it will afford assurance to members of the community and victims of crime that these serial offenders will be off the street or closely monitored by authorities while awaiting trial.

I turn to the specifics of the bill. Section 7A(1) of the *Bail Act* currently prescribes a number of offences that are subject to a presumption against bail. There is no common law right to bail and the *Bail Act* has long mandated that those charged with certain offences should be presumed ineligible to be at liberty pending trial. For example, bail is presumed to be inappropriate where a person is charged with, amongst other things, violating a domestic violence order under the *Domestic and Family Violence Act* after having been charged with a similar previous offence; threatening a person involved with a criminal investigation; committing a serious offence as an adult, punishable for five or more years in prison, while on bail for another serious offence; committing a serious offence after having been convicted of a serious violence offence within the foregoing 10 years; and committing certain offences against the *Misuse of Drugs Act*.

The Bail Amendment Bill 2016 adds an additional presumption against bail to section 7A of the *Bail Act*. Subclause (1) inserts new section 7A(1)(g), which creates a presumption against bail where a person is charged with a serious property or vehicle offence and has been convicted of two such offences, or attempts to commit two offences, in the past two years. The previous offences must not have arisen from the same circumstances and the presumption applies to adults and youths.

Subclause (2) inserts new sections 7A(3A) and (3B). These provisions give guidance as to the operation of the new presumption against bail in section 7A(1)(g). Section 7A(3A) provides that if a court decides to grant bail despite the presumption against, it can only do so if electronic monitoring is made a condition of bail. Operationally, this involves the accused person entering into a conduct agreement under section 27A as a condition of bail with electronic monitoring, which a court has the power under section 27A(1)(ia) and (ib) to make a requirement

of a conduct agreement, being a mandatory requirement of that conduct agreement.

The purpose of electronic monitoring is to facilitate the close supervision of a person to ensure they are abiding by their bail conditions, such as complying with a curfew, and to act as an incentive not to reoffend while on bail as their movements can be tracked.

Subclause (3) amends section 7(A)(4) by amending the definition of 'previous offence' so that, for the purposes of 7A(1)(g), it includes offences committed before the commencement of the act.

Subclause (3) also inserts a definition of 'serious property or vehicle offence'. This definition lists the *Criminal Code Act* offences which fall within the ambit of Section 7A(1)(g), including:

- stealing
- unlawful use of a motor vehicle
- home invasion and invasion of business premises
- damage to property
- robbery
- assault with intent to steal
- unlawful entry of buildings.

The bill also provides for a number of additional technical amendments to the *Bail Act* necessary to give operational force to the bill.

Overall, these amendments will provide a meaningful deterrent to the further commission of serious property crimes by habitual offenders. Persons with two previous qualifying convictions will be put on notice that further offending will not result in bail being granted immediately following arrest. Instead, further arrests will result in either gaol time on remand or a conduct agreement which will require electronic monitoring.

In either instance, serial offenders who are rearrested will no longer have an expectation of being released without supervision to reoffend while awaiting trial.

This is as it should be. The courts have consistently recognised the ability of the legislature to restrict the availability of bail under certain circumstances where significant public concern warrants such an approach. As Chief Justice Gleeson CJ held in *Chau v DPP* (1995) 37 NSWLR 639, bail is not a right and there has never been a common law entitlement to bail:

There is no common law right in a person who has been arrested and charged with a serious crime to be at liberty or on bail pending the resolution of the charge. In any event if there were such a right, it could be modified by statute.

As noted, this Assembly has previously exercised its inherent authority to modify the conditions under which a person charged with a crime may be granted bail. The underlying public policy reasons for the current presumptions mirror the rationale for the *Bail Act* amendments contemplated in this bill – to dissuade a class of offenders from further commission of crime and to recognise the serious social consequences of certain crimes by assuring that an accused person is not allowed to commit further offences whilst awaiting trial.

Adding a presumption against bail for serial property offenders who are charged with subsequent property offences will provide incentive for those persons charged to change their behaviour. It is anticipated that the prospect of being on remand under electronic monitoring whilst awaiting trial for any subsequent offence will cause them to rethink their actions. This, in turn, will provide greater security for families living in areas which have recently been plagued by repeated instances of property crime, often by the same people.

This government is committed to ending the endless pattern of offending, and doing whatever is necessary to ensure all Territory families are as safe and secure in their neighbourhoods and homes. These amendments to the *Bail Act* are just one piece of that ongoing commitment.

Madam Speaker, I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

PAROLE AMENDMENT BILL (Serial 176)

Bill presented and read a first time.

Mr ELFERINK (Attorney-General and Justice):

Madam Speaker, I move that the bill be now read a second time.

One of the final dignities a family can afford to a loved one who is a victim of a violent crime that ends their life is the celebration of that life, which includes the ability to lay their loved one's remains to rest. Conversely, the location of a body is a matter that an offender can hold over a victim's family's head for the sole purpose of extending their suffering. It is a clear sign of a lack of

contrition and remorse. The Parole Board must be required to take this cooperation, or lack of it, into account when assessing suitability for parole of an offender serving a sentence for murder.

The *Sentencing (Crime of Murder) and Parole Reform Act 2004* amended the *Parole Act* and inserted specific clauses relating to matters that the Parole Board must take into consideration when assessing the suitability of releasing a person serving a sentence for murder on parole. These matters are currently stated in section 3GB(3) of the *Parole Act* and are:

- (a) the likely effect of the prisoner's release on the victim's family
- (b) the likely effect of the prisoner's release on the prisoner's community, if the prisoner identifies as Aboriginal or Torres Strait Islander
- (c) protection of the community.

Whether the prisoner has cooperated satisfactorily in the investigation of the offence to identify the location, or last known location, of the remains of the victim is not currently a matter the Parole Board must, under the legislation, take into account.

The bill amends the *Parole Act* to include provisions that preclude the granting of parole for prisoners convicted of murder unless the Parole Board is satisfied the prisoner has cooperated satisfactorily in the investigation of the offence to identify the location, or last known location, of the remains of the victim. The amendments are based on provisions that exist in South Australia, sections 67(6) and (7) of the *Correctional Services Act 1982* refers, and the private member's bills that have been recently introduced in Western Australia, the *Sentence Administration Amendment Bill 2016* refers, and in Victoria, the *Corrections Amendment (No body, no parole) Bill 2016* refers.

Importantly, the amendments contained in this bill only relate to prisoners undergoing a sentence for murder. Therefore, its application is quite narrow. This is the position in the Western Australian bill, whereas the South Australian act and the Victorian bill extend the matter to be considered by the Parole Board to a broader range of homicide offences.

As amendments are applicable to parole hearings, being post-trial and post-sentence, they do not affect the prisoner's right to silence at trial and do not interfere with the sentencing of the offender by the Supreme Court. The bill contains the following clauses:

- Clause 4 of the bill repeals sections 3G, 3GA and 3GB. These sections relate to the conduct of a parole hearing and have been moved to Part 3 of the act, 'Parole Orders', as sections 4, 4A and 4B (clause 5 of the bill refers). Minor amendments to the wording have occurred to ensure consistency with current drafting practices.
- Clause 5 of the bill inserts the redrafted sections 3G, 3GA and 3GB as sections 4, 4A and 4B. Section 4B also includes the following new matters:
 - section 4B(4): the Parole Board must not make a parole order in relation to the prisoner unless the board is satisfied the prisoner has cooperated satisfactorily in the investigation of an offence to identify the location, or last known location, of the remains of the victim of the offence.
 - section 4B(5): for subsection (4), the cooperation must occur before or after the prisoner was sentenced to imprisonment.
 - section 4B(6): for subsection (4), the Parole Board must take into account any report tendered by the Commissioner of Police evaluating the prisoner's cooperation. This clause is important, as a prisoner may cooperate fully with police and the deceased is still not located. An example is where an offender cooperates fully with law enforcement regarding the location of the deceased, but the body is not located due to environmental or other factors. For example, the remains are dispersed by animals or are physically impossible to search for. If these circumstances arise, the Parole Board would, under the amendments, be able to take into account the offender's cooperation, despite the deceased not being located.
 - section 4B(7): the Commissioner of Police, in preparing a report as mentioned in subsection (6), must evaluate the following:
 - (a) the nature and extent of the prisoner's cooperation
 - (b) the timeliness of the cooperation
 - (c) the truthfulness, completeness and reliability of any information or evidence provided by the prisoner
 - (d) the significance and usefulness of the prisoner's cooperation.
- Clause 6 of the bill contains the transition provisions. In summary:
 - the amendments apply to consideration by the Parole Board of the grant of parole for a person serving life imprisonment for the crime of murder made on or after commencement of the bill
 - the amendments apply to a prisoner who has had parole cancelled on or after commencement, the cancellation is not set aside and the Parole Board, on or after commencement, is considering re-releasing the prisoner on parole
 - the amendments do not apply to a prisoner who has been released on parole prior to commencement, or to a prisoner who was granted parole prior to commencement but was not released before commencement and the order not revoked prior to release.

We must look for ways to put the interests of victims and victims' families to the forefront of the Parole Board's decision-making process, whilst also ensuring that prisoners are held to account for withholding vital information and refusing to accept full responsibility for their crimes. Release on parole is a privilege not a right, and these amendments further solidify this policy.

I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

MOTION **Consideration of Government Bills**

Mr ELFERINK (Leader of Government Business): Madam Speaker, I move that, notwithstanding the requirements of Standing Order 147, all government bills for which notice was given yesterday may progress to the question of a second reading on the sitting day scheduled for 23 June 2016.

As has been discussed in the press recently, there has been a suggestion that there is insufficient time for bills which the Assembly was given notice of yesterday, and most second readings were given today, for the one month required by standing orders to pass by.

The next time this House meets as a sitting House after tomorrow will be on 23 June. I understand that will take us to a 29-day threshold. I sought legal advice from the Solicitor-General on this, or I understand my office did. The legal advice came back suggesting that the most likely way the standing orders reference to one month would be interpreted is 30 days. This means that the House would have to dispose of the bills within a 29-day period.

To avoid the invocation of the technicality, and essentially that is what it is, I seek the support of this House to enable these important legislative instruments to be debated in one month's time, effectively in 29 days, when we come back after the estimates process.

This motion is not out of order, and I remind honourable members that in the past we have passed a number of bills within that threshold without this being an issue.

I anticipate support from honourable members because I am certain all members want to debate important issues that affect Territorians.

Ms FYLES (Nightcliff): Madam Speaker, 'to avoid this technicality' – it is quite ironic that we are here, yet again, with the government seeking a motion of urgency. The minister is correct in that there is insufficient time. This is the second time this parliament has been asked to pass a motion of urgency simply because we have a disorganised, chaotic CLP government. It is not acceptable.

The CLP government is in charge of the sittings schedule. We cannot help it if they place sittings too close together to not allow sufficient time and, more importantly, in the run up to the election, which is about three months away, have a flurry of legislation they want to pass.

Traditionally, the parliament comes back together for the day, post-estimates, to pass the budget supply bill. We can understand the technicality with the stamp duty legislation, although I question why it would not be part of the budget, but to be asked to pass seven other bills on urgency is unacceptable.

My colleagues and I did not see any of this legislation until we heard the second reading speeches and the bills were placed on our desks. These are significant pieces of legislation which, if rushed, have the potential to be inaccurate. We need time to reflect on this legislation.

It is interesting that last week the Chief Minister used social media, Facebook, to flag the intention of one piece of legislation. The Deputy Chief Minister, in the media, claimed that the legislation was drafted and ready to go. If there was genuine intent from the government members they would have engaged the opposition and members on the cross benches as soon as they realised they wanted to pass this legislation. They would have offered us briefings, which is what we have had on other legislation. They would have explained to us the need for urgency and briefed us beforehand. Instead we have had legislation dropped on our desks and are asked within an hour to pass bills on urgency.

Madam Speaker, as you well know, urgency is reserved for urgent matters that affect the running of the Territory. It is not a tool for the CLP government to use simply because it is disorganised and could not organise what legislation it wanted to pass in the four years it was given by the Northern Territory people to be government. It is not a tool to be used to simply rush through a huge amount of legislation at the end of the sittings.

Between this sittings and next sittings, 29 days, we will see 19 pieces of legislation before this House. Yet earlier this year, or late last year, there was a sittings period where we did not have a single piece of legislation. What does that tell Territorians about their government? It is chaotic, dysfunctional, uncommunicative. They have been so busy fighting each other they have forgotten their role, to be the government of the Northern Territory and pass legislation.

Some of this legislation is extremely important. We need to thoroughly consult with stakeholders. We need to understand what we are being asked to pass in this House. I know the tactics of this government; it will run out the door, as we saw with the ice legislation, and say we are opposed to the legislation. That is not what we are saying. We are opposed to the government members using the tool of urgency to suit themselves because they cannot get organised.

This motion is symptomatic of the deep divides within this dysfunctional and chaotic government. In almost four years the Chief Minister and his Cabinet have not had the capacity to organise a coherent legislative program that complies with the requirements of standing orders. So here we are, in the penultimate sittings in the life of this parliament, debating an urgency motion on eight bills. This is incompetent. We are expected, after being in the estimates process, to come back in here within a one-day period – mind you, traditionally we pass the budget at 2 pm that day. We need to debate eight pieces of legislation that afternoon.

Mrs Lambley: It is ridiculous.

Ms FYLES: It is ridiculous. I pick up on the interjection from the member for Araluen. It is a political agenda. It is not in the best interests of Territorians and we have not seen steady, stable government, which is what Territorians voted for at the last election. We have had two-and-a-half Chief Ministers and witnessed – I do not know – 14, 18 or 20 Cabinet reshuffles. It is ridiculous. Now you expect us to come back, after six days of scrutinising the budget bill, half way through the day – we have the GOC in the morning – at 2pm and debate eight pieces of legislation. How can

we give them the scrutiny they deserve and that Territorians expect from us?

This motion of urgency to suit the CLP's political agenda – they cannot run a proper legislative program – highlights the incompetence of this government. Territorians will see that. They cannot wait to get rid of this government.

I was out doorknocking last week – Madam Speaker, I know you are a fan of the rural area, but the foreshore at Nightcliff is a pretty spectacular area to doorknock. People said time and time again they are sick of the Chief Minister, his arrogance and his chaotic government. This urgency motion will get through, but we need to point out what Territorians are thinking.

We oppose the urgency. I want to make that clear; we do not oppose these bills as we have not seen the detail of them. They have been placed on our desks in the last hour and we have heard fairly short speeches from ministers explaining them.

We oppose this motion today.

Mr WOOD (Nelson): Madam Speaker, I am willing to look at any legislation that comes before this parliament that might require urgency. We have a process which allows urgency debates. We have had them in this parliament; I refer to the famous one related to water discharge licences. It was found out that if the government did not change legislation overnight, Power and Water could not discharge waste into Darwin Harbour. That required urgency otherwise there would have been a bit of a stink.

These bills have all ended up on my desk; how do I know if any of them need to be passed on urgency? The only urgency is we have one sittings period left before the election. Could it be that we need to rush to get things through before the election? I would say that it is. Is that a good reason for urgency? No, because we need time to look at them.

It is slightly different to the ice legislation, which they tried to push through in three days. We have some time. We all know the Estimates Committee is coming up. Some of us have to work pretty hard before the Estimates Committee so we are well prepared. Then you give us these.

I will give you an example.

Members interjecting.

Mr WOOD: Settle down. Let us look at the Training and Skills Development Bill 2016. Can someone tell me why this has to be hurried through? Why is it an urgent debate?

Perhaps we need training in parliamentary procedure. We also have the Firearms and Weapons Control Legislation Amendment Bill. Has there been a problem in the last four years with weapon control? Has the Commonwealth requested this to be rushed through now? I do not know. Customs is mentioned so I presume it is the Commonwealth. Is it urgent or has someone said, 'Let's get it out. We're clearing the desk before we go'?

Terrorism legislation has been sitting on my desk for ages. Legislation has sat on my desk for months that has never come forward. What has happened in the world that I have missed when we are changing all instances of '10 years' to 'commences', and all instances of 'the end' to 'commences', and inserting '30 June 2026'?

Mr Elferink: You have 29 days to find out rather than 30, which would make it not urgent.

Mr WOOD: Okay, 29 days. I understand that you have the Bail Amendment Bill, and the only thing I know about that is what the *NT News* wrote. You heard what I said ...

Mr Elferink: You have 29 days to find out. Get a briefing. You always do.

Mr WOOD: I do.

Madam SPEAKER: Member for Port Darwin!

Mr WOOD: The member for Port Darwin is a great stickler for the process; I learnt a lot from him. When he gives his final speech I will say, 'Thank you, member for Port Darwin. You taught me a lot.' I learnt some of the shortcuts and the tricky ways you can get up late at night and go, 'Oh, Madam Speaker, I'd like to ...', and it is through before you can blink.

I know these methods. This is one of the methods to make everyone feel as though we are anti-legislation. 'They stopped this legislation and are stopping criminals from being arrested. They are doing things that we want to be put into parliament urgently.'

The planning legislation is good for me. I want to look over that thoroughly, but is it an urgent piece of legislation? Have any of the speakers who introduced the legislation told us why there is this hurry?

I will be reading the *Hansard* to find out why, if this legislation is not passed at the next sittings, the world is coming to an end.

Mr Elferink: So you do not want it to pass?

Mr WOOD: I did not say that. You want the process to be followed. I have supported urgency debates before, but you have to convince me. Your job as a government putting this motion forward is to convince people ...

Mr Elferink: You are playing games, mate.

Mr WOOD: No, I am not.

Mr Elferink: You are a politician, mate, through and through.

Mr WOOD: The funny thing is I am a politician and I know how politicians work; this is the way they work. They then try ...

Mr Elferink: One extra day and you guys collapse into an emotional ...

Madam SPEAKER: Member for Port Darwin, the crossbenchers heard your second reading speech in silence. I ask you to afford the same courtesy to the members on the other side.

Mr WOOD: Let me make this clear. I am not necessarily against these pieces of legislation. I may or may not be; I have not looked at them. But when it comes to urgency, the debate is on your side to convince this side that the legislation you are putting forward requires urgency.

It could be that some of this legislation is urgent, but I honestly have trouble believing that the Training and Skills Development Bill is urgent. I want the Minister for Employment and Training to tell me why it is essential for the bill to be passed at the next sittings. Will anything happen to the world if it is not? If he can show me that if this is not passed then people will not be paid, classes will be closed down, people will be out of a job and there will be no apprentices, I might consider it.

If something in the *Planning Act* is required to be changed on urgency, please explain what it is. I am not so silly that I am not willing to support legislation if it needs passing, but you have given us a bundle of bills and said, 'Here. They are all going through on urgency.' That is dumb! That is treating us as if we are idiots. I do not think anyone on this side would suggest that we knock legislation back if it genuinely needed to pass this parliament on urgency. That would be silly.

You might say I am a politician – very good, I am a politician – but I also try to use my intelligence, if you can call it that, to go through what you put before us and make a decision based on common sense. The common sense here is whether this legislation will cause a problem if it is not passed by the next sittings. The problem you have, by asking me to pass an urgency motion, is that you

want me to say the Training and Skills Development Bill should be as urgent as the Firearms and Weapons Control Legislation Amendment Bill. You have lumped them all in together and want a generic answer for a series of bills that may not need urgency in the first place. I cannot separate that in this debate.

If the Minister for Business said, 'I will argue my bill on urgency', we could debate your bill on urgency. If the Chief Minister wanted to argue the case of the firearms bill on urgency, we could argue that. Therefore, I could say yes or no if that was needed. I am asked to give a blanket yes or no for legislation that was put on my desk five minutes ago and you want me to give an intelligent response. Do you think the people of the Northern Territory think it would be intelligent for me to say all these bills should go through on urgency? I say no. They would not expect me to do that; they would expect me to do the right thing and only pass legislation on urgency that proved to be necessary under parliamentary procedure.

I always worry about this. I am sure there will be a big ad in the paper tomorrow saying, 'Wood soft on crime, soft on planning, soft on weapons, soft on training skills, soft on everything'.

Mr Styles: Hear, hear! We agree.

Mr WOOD: Yes, but I do not think people believe you anymore. People expect me, as an Independent member, to make sure things are done according to correct procedure and for the right reasons. This has not been done correctly, nor has it been done using the correct procedure, so I will not support it.

Mr ELFERINK (Leader of Government Business): Madam Speaker, we will do this quickly. Urgency – one day, 24 hours. All of a sudden the opposition and Independents fall apart and cannot manage it. Seriously, is this how you intend to govern if you are asked to do something one day sooner than you are otherwise asked to do it under the normal procedure? You will screech from the rafters that there is some sort of oppressive government operating here. That is bizarre.

I cop the criticism that there is a 29-day period and we should have gotten it organised in the right fashion, but this is a technical issue. We have done it before without complaint in 27 days and nobody on your side complained or raised any objection to it whatsoever.

This is simply pre-election politics from the members opposite. Twenty-nine days – one extra day would fall within the rules and they say the world is coming to a grinding halt on its axis. What nonsense. Fleeting common sense reveals

that this is more about political positioning than anything to do with the processes of this House.

The Assembly divided.

Ayes 12

Noes 12

Mr Barrett	Ms Anderson
Mr Chandler	Ms Fyles
Mr Elferink	Mr Gunner
Mrs Finocchiaro	Mrs Lambley
Mr Giles	Ms Lawrie
Mr Higgins	Mr McCarthy
Mr Kurrupuwu	Ms Manison
Ms Lee	Ms Moss
Mrs Price	Ms Purick
Mr Styles	Mr Vowles
Mr Tollner	Ms Walker
Mr Westra van Holthe	Mr Wood

Motion not agreed to.

The Assembly suspended.

VISITORS

Madam SPEAKER: Honourable members, I advise of the presence in the gallery of three classes from Years 7 and 8 from Palmerston Christian School, accompanied by their teachers, Ana Abbott, Jill Carter, Mrs Emily Shea and Mrs Kathy Guy. Welcome to Parliament House and I hope you enjoy your time here.

Members: Hear, hear!

PETITIONS

Petition No 61 – All Weather Bridge across the Todd River

Mrs LAMBLEY (Araluen): Madam Speaker, I present a petition from 204 petitioners praying that an all-weather bridge be built across the Todd River, linking Mount Johns and Desert Springs to the Alice Springs CBD. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders.

Madam Speaker, I move that the petition be read.

Motion agreed to; petition read.

Your petitioners therefore humbly pray that the Northern Territory government build an all-weather bridge across the Todd River linking the golf course areas of Mt Johns and Desert Springs to the Alice Springs CBD.

Petition No 62 – Youth Curfew in Tennant Creek

Mrs LAMBLEY (Araluen): Madam Speaker, I present a petition from 198 petitioners praying that a youth curfew and supportive services be established in Tennant Creek. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders.

Madam Speaker, I move that the petition be read.

Motion agreed to; petition read.

We, the undersigned, respectfully request the Assembly implements a youth curfew at Tennant Creek as a matter of urgency. Such a curfew will be implemented between the hours of 9 pm and 6 am and apply to all young people between the ages of six and 17 inclusively. The curfew would apply to attempt to address the high levels of youth crime, antisocial behaviour, volatile substance abuse and poor school attendance in Tennant Creek. As part of the implementation, the Assembly is urged to consult all relevant services in the town to implement supportive measures of the curfew, including establishment of a care facility, youth night patrol and establishment of a genuine referral network.

Your petitioners therefore humbly pray that:

- *the government implements a youth curfew at Tennant Creek under a community policing model*
- *supportive services be established to specifically target youth issues in the town*
- *an independent person, persons or body be given oversight of the measures.*

APPROPRIATION (2016-2017) BILL (Serial 170)

Continued from earlier this day.

Ms WALKER (Nhulunbuy): Madam Speaker, I thought the Chief Minister would talk about tourism. He is clearly not interested in tourism because all he wanted to do was comment on the ins and outs of what goes on in politics. I find it extraordinary, but that is an example of the schoolboy cheap shots he likes to take.

I welcome this opportunity to respond to the budget handed down by the Treasurer yesterday, his final budget in this parliament. I applaud the efforts and commitment of the Opposition Leader, the member for Fannie Bay, for his budget reply delivered this morning in this House. Make no

mistake, the leader of the Territory Labor opposition is a strong, good leader, who has introduced a raft of policy plans since becoming our leader. He is genuinely committed. He moves around the Territory. His diary is incredibly full with the work he does. He is very warmly welcomed everywhere he goes. Trying to get an appointment with the Leader of the Opposition, as has been the case for a number of weeks, is very difficult.

This government came into the House after winning the 2012 election on the back of many promises to Territorians, and it has broken just about all of them. Cuts across the board have hurt Territorians across the Territory. I know that only too well – cuts to health and education, power and water prices hiked up, hundreds of public servants' jobs cut, 164 teachers' jobs gone, cuts to the NGO sector and Territory businesses, and families doing it tough under this government, so tough that businesses have struggled, some have closed their doors, and far too many Territorians have left the Territory.

On the back of the mismanagement and incompetence of this government, Territorians have been betrayed by the CLP as a bunch of individuals who are more interested in themselves than they are in Territorians. Their almost four-year term in office has been characterised by infighting, scandal, a revolving door of minister and Cabinet reshuffles – 15 or so at last count – and a Chief Minister who remains deeply unpopular and untrusted, as the polling figures indicate.

They have gone from a team of 16 to a still deeply divided minority of 12. That would have been 11 if not for the fact they lured back the member for Arafura, who had walked out on them, securing his vote with plenty of pork barrelling in his electorate.

They are also supported on the floor of the House by the member for Arnhem, who continues to provide them with her vote unconditionally on any bill or motion. On the last vote in this House, she emerged from the government lobby to vote with the government. She is very close and in cahoots with the government in spite of their rift some time ago, which saw her depart, describing them as racist and doing nothing for people in the bush. It remains that Territorians have no knowledge whatsoever of what secret deal has been done between the Chief Minister and the member for Arnhem to secure her vote.

How can Territorians have trust and faith in the CLP to govern for them and us when they are bereft of trust, transparency, accountability and any shred of integrity? If there is one saving grace we have secured it is that the Northern

Territory will have an ICAC-style entity in the future. That has been called for since the CLP returned to government because of their endless scandals and dodgy dealings. It was only agreed to with bipartisan support because they were left with no choice but to support it after doing everything they could to stop it.

This budget tries to put back what was taken out over the last few years, starting with their savage mini budget in December 2012. It puts funding and resources back into the budget thanks to the sale of government and taxpayer-owned assets like the Territory Insurance Office and the Port of Darwin, against the wishes of the vast majority of Territorians

If the CLP had one job after inheriting a strong and prosperous economy, a confident Territory, it was to transition the economy to a new phase post the INPEX Ichthys project, which was fought for and secured by the Martin and Henderson Labor governments. It was a multibillion-dollar project. The one job they had was to transition the economy beyond Labor's work of securing that massive investment through INPEX, and they failed. They have failed Territorians in our urban centres, regions and remote communities. Nobody, apart from the CLP, believes a word this government says because it simply cannot be trusted.

I will turn to some elements of the budget and comment on areas relevant to my shadow ministry responsibilities. I will start with Health. To look at the failings in Health under this government you need look no further than the debacle of the Palmerston Regional Hospital. Under Labor this project would have been completed by now. It would have its doors open and be servicing the people of the Palmerston and rural area, who were promised it by this government. If that project had been completed and was operational, pressure would be relieved on the Royal Darwin Hospital, which has long wait times for surgery and ED.

There is no doubt the Palmerston Regional Hospital has been an unmitigated disaster under this government from the start, not helped by a revolving door of Health ministers and changes in plans. This hospital is not on track. This hospital has seen a budget blowout from the original price tag of \$150m to around \$200m.

The CLP's efforts to cover up its failures on delivering the Palmerston Regional Hospital makes it a laughing stock, from digging a hole then filling it in with concrete as a media stunt last year to the more recent display of what can only be described as arrogance from the Chief Minister about being, in his words, 'tricky'. He is tricky and dishonest about whether he asked the federal

government for an extra \$60m, to which they said no. Why would they give the CLP extra money given it has missed every funding milestone under the agreement with the Commonwealth?

The Chief Minister dodged questions and said he had not actually written to the federal minister asking for extra money when, in fact, he had. When this was revealed, the most bizarre reply on Mix 104.9 FM was:

We don't need extra money. We've asked for extra money. There's two different things. One is being self-sufficient and funding it yourself. The other is trying to be tricky and get money off Canberra to help you do it.

He went on to say:

... we play those games all the time ... it's a sport between the Northern Territory and Canberra.

The Chief Minister of the Northern Territory, who is way too tricky for his own good, plays games and treats politics as a sport. In Question Time today he did not even respond to important questions, such as the Dixier about tourism, trying to be far too tricky and play a game with politics. It is outrageous.

With the blowout of costs and the delay of the Palmerston Regional Hospital, where is the extra money coming from? Territory taxpayers have to foot the bill for these cost blowouts, which can only mean other services have to be cut. Perhaps that is one of the reasons we no longer have, since February, a child and adolescent mental health service to remote Top End communities.

In February this year, with very little notice, service providers received an e-mail which advised that the visiting child and adolescent mental health service was being ceased. People were devastated by this news. It is a critical service to remote and regional areas where we, regrettably, have issues regarding mental health. The Territory has the highest rate of youth suicide in the country and the mental health service was axed.

I wrote to the Health minister in response to this matter. I raised it in Question Time and during an adjournment, and two months ago, on 22 March, I wrote to the Health minister about child and adolescent mental health services. To date I have not had an acknowledgment, let alone a response.

I had said to constituents that I know this is tough and wrong, but let us see what is in the budget. Let us hope that in the budget being handed down we will see this service restored. Well, far from it.

In the health budget there is a reduction of \$100 000 for mental health services for Territorians, which is absolutely shameful. I also think it is shameful that there is a reduction in funding for aged care.

It is also shameful that when the retiring Health minister was asked a very straightforward question today as to whether he would support the Nurse-Family Partnership Program – which the Opposition Leader flagged today, saying we will invest \$8m over four years to support 500 children with their parents every year. This is based on a model that is incredibly successful in Central Australia through Congress. We are putting children front and centre of a future Labor government. We took that promise to electors last August with huge support. The Health minister said no; he would not support it. I suggest that the Health minister's priorities are entirely wrong. Perhaps he has been the minister for Corrections, Justice, youth justice and Health for too long, and he has it in his head that the only thing to do with people is send them to prison. He is not interested in their health needs when he makes comments like that in Question Time, not supporting a health initiative that puts children and their mothers front and centre.

Apart from not delivering the Palmerston Regional Hospital, delivering other health infrastructure has not been a hallmark of this government. Health clinics which were funded under the previous Labor governments have been slow to be built and opened. You only have to look at Budget Paper No 4, 'The Infrastructure Program', to see the sheer volume of revoted works. You need only look to the Top End Health Service in the budget paper to see that from a total of \$141m in the capital works program, \$91m is revoted works, including the yet-to-start – and I do not think a tender has been awarded yet – Ngalkanbuy clinic at Galiwinku in my electorate.

Under a Labor government the long-awaited emergency department upgrade at Gove District Hospital would have well and truly been delivered by now. I note in Budget Paper No 4 there could be some extra dollars for the Gove ED upgrade to be completed, a long overdue project. I guess that comes as no surprise given the time frame that has been pushed out and the fact they have entirely changed the way it is being built, from a greenfield project to a brownfield project. It has become more expensive.

The original \$13m for the Gove ED was carved up under the member for Araluen when she was the Health minister, with \$5m proposed to fund the palliative care unit at Alice Springs Hospital. That was the member for Araluen's intention. I understand there is a strong need in Alice Springs and Central Australia for a facility to provide

palliative care, but the current Health minister is at odds with Central Australians and has decided instead to build a multipurpose facility.

I tabled a petition in this parliament yesterday, with 1356 signatures from petitioners calling on the government to stop, consult and listen to the views of Central Australians regarding the need for a palliative care service.

I welcome, as I am sure Territorians do, funding for the cardiothoracic surgery unit in Darwin. I heard from the Heart Foundation in a meeting earlier this year about the need for that service in the Northern Territory. A service that keeps people close to home and does not make them travel across the country must be in the best interests of the health and wellbeing of patients. It will ultimately save money previously used to transport patients and carers interstate to access services.

This announcement, substantial as it is, represents the only new services being provided in health. The health budget invests money in infrastructure, much of it revoted works, as I said, and there is significant funding into new IT infrastructure, in the vicinity of \$160m. Under a restructure within Health, alcohol and other drugs is now included in the Top End hospitals budget.

Since the implementation of alcohol mandatory treatment midway through 2013, there has been significant investment into it under the CLP. It remains an investment that has not delivered results or value for money for taxpayers, along with the people this program is supposedly assisting to overcome serious alcohol addiction issues. The Leader of the Opposition said he will axe this program. You only have to look at the budget figures to see that the number of AMT referrals has been revised and the number of completed treatments in AMT has been revised from 256 to 180.

Clearly a lot of money goes into AMT but it has not delivered results. The government has defended it every step of the way. There is no evidence or data other than the occasional anecdotal story stating that the program is not working; even the recommendation of the coroner said it needed to be fully investigated. We have seen nothing from this government. I look forward to estimates to further drill down into alcohol mandatory treatment and health spending contained within this budget, and no doubt the health minister will duck, squirm and avoid answering everything as best he can.

In the realm of justice, the overall budget has increased from \$112m and was revised in Budget 2015-16 to \$124m. In Budget 2016-17 it is now \$126m, which is a significant increase. Much of it

goes to increasing dollars for legal policy. I wish more money had been put into legal policy over the last couple of years so the government could have received better advice on some of the legislative reforms it implemented. Evidence-based policy could have informed the Attorney-General that things like Daniel's Law would never work.

There is some increase in funds for tribunals, such as NTCAT, and there has been much discussion in debates over the last couple of years as to whether NTCAT is adequately resourced to take on the role it has. As of 1 July it will also take on adult guardianship matters, so for it to be successful it needs to be adequately resourced.

There is a slight increase in funds for the Domestic Violence Directorate. I am not sure what that money will go to, but I will find out at estimates.

If Labor is returned to government I hope we have an opportunity to implement a broader justice system to include restorative justice, therapeutic justice and the justice models I have observed on visits to Victoria and the Parramatta Children's Court in Sydney. They go to the heart of the offending behaviour, work with those who appear before a magistrate and provide the right support to individuals to stop them reoffending. It is about case managing and recognising people who offend, have mental health issues, have come from the child protection system and may have alcohol and substance abuse issues or homelessness issues. We need to adjust our system in the Territory to deal with those offenders, address their offending behaviour and reduce the number of people being incarcerated.

I suspect the tourism sector will be disappointed with the negligible increase for Tourism NT and its marketing function. I acknowledge the difference that Tourism NT infrastructure grants have made to operators and businesses. They are welcomed, although several people have told me they are little more than pork barrelling and in the realm of private sector investment. I have heard the message loud and clear that people welcome those grants.

As the Opposition Leader said, Labor will encourage private sector investment in tourism, but we recognise this as an area where the government needs to play a significant role.

I also note the investment into roads that comes under infrastructure and transport. My electorate needs investment into roads as an enabler for the economy, which includes attracting tourism numbers.

On the subject of tourism, this morning the Opposition Leader said that as part of our stimulus package Labor will add an extra \$5m over two years to the tourism budget. That is in order to develop a specific industry-led Asian tourism attraction drive.

He also said that traditionally we would focus on developing and growing our relationship with India, an important tourism market that has not been developed to date.

I know from discussions with those involved in the tourism sector that India is recognised as a potential new market. The Territory is home to thousands of Indian people. In Nhulunbuy we had a thriving Indian expat community, predominantly engineers and other professionals who came during the boom years of Gove's G3 expansion. Sadly they have all now left, thanks to the Chief Minister who pulled the gas to Gove deal.

It has been a really difficult couple of years with the transitioning of Nhulunbuy's economy and social fabric since the closure of the Rio Tinto refinery, which was a direct result of the Chief Minister reneging on a deal that had been struck with that company and the community.

More than 1200 jobs have gone in Nhulunbuy. People will not forgive the Chief Minister. I notice that on his visits to Nhulunbuy he never comes on the Airnorth commercial flight; he always charts in. He avoids Nhulunbuy. On Friday he was at Gunyangara, also known as Ski Beach. He avoids coming to Nhulunbuy and comes on charters so he does not have to pass anybody who might want to give him a piece of their mind at the airport in Nhulunbuy.

There are more than 100 empty houses since the decrease in the population. It is heartbreaking to see those empty houses when we still have overcrowding in Nhulunbuy and Yirrkala, and there are people in Nhulunbuy who cannot access housing. They are in paid employment and might make it by with house minding or finding a room at a mate's place. It is very frustrating that there is vacant accommodation that people cannot seem to access, some vacant for three years. It is shameful that the government has not done more to ensure people can access these houses.

I acknowledge the great work that Carley Scott does as the CEO of Developing East Arnhem, the entity that was funded jointly by Rio Tinto and the Northern Territory government.

The Business minister spruiks his government's Buy Local policy and tells us how wonderful that strategy is. If he could see what the \$20m investment into a boarding facility in Nhulunbuy has done for local businesses, he would see it has

done next to nothing. Apart from one local contractor who did the initial site works to set up the fencing, and plumb in and hook up the site office for the Darwin-based contractor, all other contracts have gone outside Nhulunbuy. I have been through each of our local businesses in the last few weeks, be it electrical, construction or carpentry, and they are pretty dirty that what was supposed to be a stimulus package for Nhulunbuy local businesses has delivered nothing. About \$2m worth of plumbing works has gone to a South Australian contractor. About \$2m of electrical works have gone to a Darwin contractor.

There is a brickmaking company operating in Nhulunbuy, which has only started in the last few months. It is a joint venture between Deltareef and the Gumatj Corporation, the traditional owners. Where have all the bricks come from for the boarding facility? Not from Nhulunbuy; they have all been freighted in from Darwin. I am very happy that Darwin businesses are finding opportunity – God knows they need it – but Nhulunbuy businesses have not benefited from the \$20m stimulus package delivered by this government. Shame on this government and the Business minister. I want him to attend a forum of locals and business people, and hear firsthand what a disaster it has been in stimulating the local economy.

Suffice it to say I commend the budget reply to members of this House and Territorians, as well as the vision provided by the Opposition Leader this morning. The choice is very clear, a Labor government that will invest in children and families or a CLP government that does not because it puts self-interest ahead of the interests of Territorians.

Mr WOOD (Nelson): Madam Speaker, as I said in my media release yesterday, credit where credit is due. I will go through some of the funding the Litchfield area received. There is no doubt we would have liked some more, but I will go through what is in the budget.

In my electorate \$15m over the next two years will be spent on upgrading and sealing sections of Gunn Point Road. This road is very popular with people fishing at Leaders Creek and Saltwater Arm, visitors to Gunn Point beach and residents at Tree Point. The road is heavily used, especially on weekends. This upgrade will improve safety for motorists and reduce high maintenance costs.

This upgrade will be done over two years, starting next year. That will increase visitors to this popular area and will be good for businesses, such as Leaders Creek Fishing Base. I know Brian; I rang him last night. He is happy something is being done about the road. Some sections of the road have become very dangerous

because of the corrugations. It is even more dangerous if you are towing a boat. I am interested to find out which sections of road have been earmarked for sealing.

The government has announced \$1.5m to continue the cycle path along the old railway line from Howard Springs to Coolalinga. It took 20 years to get the bicycle path from Palmerston to Howard Springs; it only took four more years to get it to Coolalinga. At this rate it will be a while before we get it further down the track, but it is great that we have it. It will be of great benefit not only to locals, but to many recreational riders from Palmerston and Darwin who use the existing path.

This use of the old railway line has a secondary benefit, reserving history from the late 1880s, which is important. The present bicycle path was completed four or five years ago after many years of trying. Some money was allocated in 2012 for engineering design, but nothing much was heard after that. It was a pleasant surprise to hear that the cycle path will now continue further south. I hope it will reach Girraween Road at Coolalinga and not just stop at Macca's.

The government also announced money in the budget to develop mountain bike trails. I ask the government to use that to develop the Coolalinga to Adelaide River rail trail. That will be a great adventure trail on the old railway line with riders being able to rest up at Noonamah, Darwin River Dam, Batchelor and Adelaide River. The Chief Minister has mentioned an interest in mountain bike trails. This one would attract tourists from all over the place and preserve the old railway corridor. It goes through a number of World War II sites, which would also make it interesting, such as the airstrips at Batchelor and the Snake Creek ammunition depot. It has the opportunity to be a great tourist attraction and a lot of locals would like to use it. Perhaps we could have time trials and competitions to Adelaide River. The government should look into that.

There are a few land issues. Some small parcels of land on the old rail corridor have been absorbed into private blocks – not many. The major issue would be the land rights area to the east of Darwin River. It is now Aboriginal land and there would need to be some lease arrangements to use the old railway corridor where it goes through those parcels of land.

There is good news for Taminmin College. There is \$10m in the budget for a new two-storey science building, eight classrooms and eight general learning centres. I am told by reliable sources that the member for Daly has worked hard against strong opposition to make sure this \$10m – not the member for Brennan, but there has been some strong opposition – was delivered.

The member for Brennan and the local members might have had something to do with it, but those at Taminmin College Council got this off the ground. They did a lot of work. Beverley Ratahi, Miriam McDonald and a fierce but fair council achieved this win.

Mr Chandler: I still have bruises.

Mr WOOD: I know. The minister says he has bruises, so I will get the school council to get him some vouchers for the local massage parlour in Palmerston. That should fix it.

It is a great effort and it shows the government's commitment to education in the rural area, which is appreciated. They have certainly had their battles with the government over various matters, anything from electricity and water charges to all sorts of things, so that is a good outcome.

In regard to the science classroom, what are the details in relation to the Office of the Chief Scientist? It sounds good and I support science, but there is not much in the budget and not much has been said to give details of what this Chief Scientist will do.

Mr Chandler: It is very scientific.

Mr WOOD: It is probably so scientific we would not understand what he will do. However, we need to realise we are in a different part of the world and the science we develop here should be specific to the climate changes throughout the Territory. We should develop research projects applicable to other parts of the world, especially in the horticultural and agricultural areas.

One thing missing, and it keeps being missed, is an announcement about a rural retirement village. It seems that people in the rural area are destined to retire either in Tiwi, at Pearl, in Palmerston or down south.

To make the government put an effort into making way for a rural retirement village is like pulling teeth. We have Crown land at Humpty Doo and Freds Pass. Why can this land not be released? Does the government want to keep it for a secret project? It has been sitting there for years. People are designing activity centres that go for miles, and the land in our district centres has not yet been developed.

I ask the next government to do something for older people who want to stay within their community. At the rate I am going, I will have to say in parliament for a long time because I would like to retire too ...

Mr Chandler: You have self-interest in this.

Mr WOOD: Yes, it is self-interest. It is called age.

There are people reluctantly moving out of the community and the main reason is that there are no facilities in the rural area.

There was \$3m for Freds Pass, but, to be honest, that was a refund and not a fund. It was not originally part of the budget, but it was announced two months ago. I thought it was a local grant the government was giving us and I did not attach it to the budget, but somehow it has now been put in the budget books.

It is a refund, as people know. We had \$3m about four years ago and we lost \$2m of that. So we now have \$2m of what we lost and the government has given us \$1m of new funding. That is appreciated; I know the Freds Pass Reserve board of management is very happy that money has been allocated. I thank the government because there are major issues with water, electricity and roads in the Freds Pass Reserve, which will hopefully be fixed up with this money.

The government needs to make a commitment for ongoing repairs and maintenance in Freds Pass. I am not saying heaps of money, but a contribution each year. Freds Pass is as big as Marrara, probably bigger. More sports operate there and it does not get anywhere near the amount of money it deserves.

I always tell ministers to go there on a Tuesday, Wednesday, Thursday – and throw in a Monday because the rural little athletics are on – and you will see hundreds of kids playing football, soccer, rugby league and rugby union, and running around the park. But we still do not get anything to reflect the hard work many of the volunteers put in or the money the local council puts in.

I asked today in Question Time – we do not have a pool yet. It was not in the budget. It is good to hear the Litchfield Council has some money ...

Mr Chandler: I will dig you a hole.

Mr WOOD: Thank you. The member for Brennan said he will dig me a hole. We had one at Holtze, but it was filled in with concrete so we did not have a chance to swim in it. Yes, the government is good at digging holes, sometimes for itself.

We need a pool. The dangers of crocodiles in the rural area are great. Every other community with about 22 000 people would have a pool. The government provided a recreation lake in Darwin and Leanyer Recreation Park, and we think it should provide a pool and water park for the residents of the rural area.

Please do not use that as an excuse for densification; that is a dirty word in my vocabulary. The rural area does not want its land to be cut up to increase the population and, therefore, argue the case that we need a pool.

It is good to see there is money to finish the Litchfield loop road. It has taken a long time and the previous government did a good job with 10 km a year. There is also money for the bridge in last year's budget, but I do not know what happened to it. There was some work done. It is a project that will help people who live at Channel Point, which is part of my wife's country. Labelle Downs Station is out that way. I imagine that if they bring cattle to the export yards or the abattoir at Livingstone, which is an AACo facility, it would help to bring the cattle on a sealed all-weather road. They will be able to cross the Finnis River without having to go via Batchelor.

The other good thing about the program is that tourists will be able to go to Batchelor via the Stuart Highway, through Litchfield National Park and along the loop road, and will come past the Territory Wildlife Park at Berry Springs. Money has been put into the Territory Wildlife Park this year. I hope that is new money. There are problems attracting more tourists to the park. There have been changes in the policy; I believe banteng cattle, buffaloes and kangaroos are coming back to the park. That is what people want to see. Once this loop road is completed it will be great for tourism and business in Berry Springs, and I think it gives people a much better experience because they will not have to go to Batchelor then Litchfield and back out again, unless they want to take the corrugated road around the loop. Once the entire loop road is sealed it will be a great experience for many people. It is a big trip, but you can do it in a day and it will be welcomed.

There is an announcement about a skywalk at Nitmiluk. I was hoping you would announce a viewing platform on a certain water tower on the corner of Lambrick Avenue and the Stuart Highway, member for Brennan. If you can spend \$20m on a skywalk, you can put a viewing platform on one of the best towers you will ever see. We can put your name on the tower if you could do that for us – the Peter Chandler memorial egg cup.

Mr Chandler: It is the grey goblet.

Mr WOOD: On our rural side it is called the big egg cup. It should have a viewing platform on it at least, and a restaurant underneath. Encourage tourists and locals to go there. Imagine the sunset views from the top. You will see past Palmerston, over the harbour and towards the sunset. That would be great. Why not use some of our

facilities. Do not let it turn into a mobile phone tower. Look at the one at Palmerston; it is a shocker. If they want to put their phone tower up, they can build their own tower. The water tower at Palmerston is a disgrace.

I used to accuse the previous government of putting the poor old department of Primary Industry in the junior section of the budget. I must admit, as much as the member for Daly is a good friend of mine, I did not see much in this budget about primary industry. I saw some roads; they are not just for primary industry but for locals and tourists. It is good that money is going into upgrading roads.

I went through the minister's speech and did not see a lot, but there are a few things for sure. There is \$1.2m to invest into our research farms, but we should do more of that. If the government wants to say, 'Invest in the north and develop the north', you have to invest in research. If you want to increase the amount of horticulture and agriculture in the Territory and feed parts of Asia, along with that has to come research. Although it is only \$1.2m, if we are fair dinkum about developing the north then a substantial amount of money must go into researching new crops, existing crops and opportunities that growers who might want to invest in the Territory could look at as new possibilities in opening up different horticultural and agricultural crops.

One area that missed out in the budget – I was surprised about this – is the Ord. With Ord Stage 3 there is a lot of talk about the prawn farm and development. There has been a lot of talk about Ord Stage 2. Matt Brann from the *NT Country Hour* was there last week discussing where Ord Stage 2 is up to. Ord Stage 3 has been discussed a number of times in this parliament, but there is nothing in the budget. I am reading the Minister for Primary Industry and Fisheries' response to the budget and there is nothing there relating to the Ord.

It mentions mangoes, which are one of our biggest crops in the Territory. It is good the government has invested money into post-harvest treatments – a vapour heat treatment facility. If we want to export to Asian countries, we must make sure our fruit is acceptable and does not have any insects that are not allowed in China, Japan or Korea in it. If we want to break into those markets, we need to make sure we can. A vapour heat treatment facility reduces the need to use chemicals. If it increases our opportunity to export mangoes, that is fantastic news.

The minister has mentioned roads, but roads are not just for primary industry. They are important in his electorate and get a fair mention in the minister's response.

One area mentioned, which I think will be a continuing problem, is weeds. In the top End it is gamba grass. As I drove along the new Tiger Brennan Drive I looked out to the left, just as you pass Amy Johnson Avenue. I am not sure if that is the Charles Darwin National Park, but you will see beautiful swathes of gamba grass in seed, mobs of it. If we cannot control it in the Darwin area, what hope do we have in the rural area?

There is money being spent on trying to do a helicopter survey of the extent of gamba grass. It would be interesting to know if you can do it via satellite and whether it comes up a different colour. I think that is how they look for that funny rural tomato that people grow sometimes. They can pick up the colour and spot it. I would have thought you could do the same thing with gamba, but I gather they will either use drones or helicopters.

Gamba is not just in the rural area; as I said, it is in the Darwin area. It is a major fire problem and it is a weed that, unfortunately, has gotten out of hand.

Many years ago a minister for Primary Industry told me he loved it. They used to drop the seeds out of a helicopter. Pastoralists love it, but the issue for the pastoral industry is although the plant is good for cows, it is not good for the environment unless it is controlled. This needs an ongoing program.

We often talk about sustainable agriculture. On one hand we have cows that get fat, which we send overseas and they bring back money, and on the other hand they are living off, in many cases, grass that the government needs to put \$4.5m into controlling.

It is a funny way we run industries. One industry relies on a type of grass and the other side of the budget is finding money to control that grass. We have to be more aware of biosecurity. How many weeds in the Top End were introduced as pasture species? I would say there were plenty of them. Sadly, we introduce things that look good but end up costing the community lots of money.

I have been told that the 24 Hour Art gallery has not received any funding from the Commonwealth. It has been operating for many years and is an important gallery for local artists. It has been one sure way to support them and display their products. I am not sure if it is only in the Northern Territory; I heard something yesterday that many art courses have been cut and that one has now suffered. I mentioned it to the minister and he knows a little about it. He will look at the possibility of some funding from the Territory budget to help 24 Hour Art continue.

Art is important in many ways, not just in the community but in places like Correctional Services. I noticed someone said recently they cut some of the art programs in some of the New South Wales prisons. I think that is bad; you have to ensure people are occupied and learning new skills.

The Museum and Art Gallery of the NT is, to some extent, fixed, whereas 24 Hour Art is a community-based centre for art in the Northern Territory. It requires money but also serves a great purpose in promoting local artists. Hopefully the government will look at that because it has only just happened.

There are some good things. I can bag the government, but in relation to some of the things the Minister for Health spoke about – the new facilities at the hospital. No one would deny that we need that. It is an \$8.3m commitment to the cardiothoracic services as well as neurological services in the Northern Territory. He said:

Whilst we can do valve work in the same way we do stents – which I find absolutely remarkable, but apparently is possible – we will step forward to do things like valve replacements. This takes us through the Tier 5 system of the hospital and places the Tier 6 environment on the horizon, which is the position I am trying to put the Royal Darwin Hospital in.

Over the years, both governments have made sure health services in the Northern Territory have become better and better. We have the cancer centre in Darwin hospital, the hospice and the improvements coming on all the time. It is good that, regardless of which side of government is operating, we are continuing to look at that area.

Questions during estimates will come up about why the Palmerston Regional Hospital has increased the budget and what the money was for. That is what estimates are about. There is the \$186m commitment over five years for the Core Clinical Systems Renewal Program. It seems we will be a leader in that if it comes to be. It is in relation to a series of databases, one major database and a series of loosely attached databases, which are old and reaching their use-by date. The allocated money will bring this into a new program which will lead Australia with that clinical systems renewal program.

The minister said yesterday:

I note the petition that was read into the Hansard record earlier today in relation to palliative care services, and, clearly one of the primary functions of the multipurpose

facility is for palliative care services. They are not excluded.

No other palliative services that exist currently in Alice Springs will be diminished. The Spicer Crescent facility will continue to receive support. The reason the multipurpose facility continues to operate is twofold; one is that the former Health minister committed to a multipurpose facility in spite of public utterances to the contrary; and, two, we will still have a focus on palliative care, but if those beds are vacant because they are not required for palliation then they should be available for other purposes.

I am not fully up to date with what is happening in Alice Springs. I have a good friend there, and it might come up in the debate during General Business today. They are a great supporter of a hospice in Alice Springs. Anyone who has visited our hospice would realise it is world class. It is run by dedicated people. It was originally designed with the help of the community. We have a palliative care association and many people are involved in developing a palliative care centre.

I hope people in Alice Springs have very similar facilities. My understanding is they have palliative care in Alice Springs, but it is shared. I do not think you want a facility that is shared. I would not think palliative care or a hospice needs to be next to or in a hospital. It can be in a place where there is peace and quiet, where people can come and go for visits.

During the GBD debate on Alice Springs later I will ask the minister what he means and if I will get any feedback. I asked about this motion today in parliament. I spoke to a good friend who works in the hospital – the hospice is much needed. Perhaps we can debate that during GBD.

The Labor Party has introduced another version of the \$2000 for home improvements. If you ask me whether this is the way we should run elections, I will say I am not so sure. Why do we start offering sweeteners around election time? Is that the way we should govern? Is that the way people want elected members to operate? I do not have a portfolio and cannot do a budget announcement, but parties should be restrained from doing that and should ask people to judge them on their performance over the last four years. People will see through some of this and there will be a debate about it.

The government needs to say what it will do, as does the opposition. That happened with the budget, but included in those budget papers are sweeteners to get people's attention, saying, 'If

you vote for us we will give you this'. Whether that is good governance and the way we should operate around election time is for a later debate, but it should be clear in the overview of how elections are run in Australia. There has been similar discussion in New South Wales recently. I raise that because I cannot help but wonder if we diminish the process by handing out lollies when we should be saying, 'This is what we have done and what we will do'. The same goes for the opposition.

I thank the minister for his budget.

Mr McCARTHY (Barkly): Madam Speaker, yesterday Budget 2016-17 seriously sounded like an election manifesto providing a clear choice for Territory voters in August 2016. Bring it on!

It was interesting that in the budget day speech, the Treasurer, out of 45 minutes, spent nine minutes in the first half blaming Labor. That was definitely lost time, Treasurer, running up the ball and putting points on the board for your team in the upcoming election.

There needs to be a reality check in regard to macroeconomics. I put it to the member for Sanderson, the Minister for Business, that should it all go to plan and should we all be judged worthy – I will face off with you on the other side of the Chamber again – I will make this into graphs that make your eyes bleed. Minister for Business, you are on notice.

It is about the fiscal management of the Country Liberal Party. This is the fourth budget so you should fess up and accept all responsibility over your four-year term for the outcomes of this budget and the budgets that have preceded it.

The Northern Territory will lose \$1bn in the forward estimates, which was noted by the Treasurer yesterday. A significant amount of that relates to our share of GST revenue. With regard to your performance in Canberra with your Liberal Coalition mates, that is not a good outcome for the Northern Territory.

As listed in the budget papers, the 2016-17 decrease will flow on through all forward years. That is a serious situation. There has also been a significantly revised downward turn in mining royalties and stamp duties. Mining royalties are hard to control. I have lived in the regions, particularly a mining region, for many years, so I can understand that. We will share the pain, as an opposition, in regard to mining royalties.

We have witnessed a significant downturn in stamp duty over four years, which has created the fiscal position of Budget 2016-17 and we can directly relate it to CLP policies, which have

caused population to drop, property and jobs markets to soften, and mining moderation.

When we talk about a population drop, a softening in the property and jobs market, we relate to policies that have been developed in the last four years. Many people have left the Territory, and a lot of businesses closed their doors. You can take a trip to Alice Springs to confirm that visually, Treasurer.

There has been a cross-border migration which does not relate to fiscal management; it is related to a chaotic and dysfunctional government. There is no doubt the behaviour of this government, the lack of discipline and the self-interest that has been evident in a lot of the bungled management has not only made us the laughing stock of the nation, but it has created a culture where Territorians are not confident. In the Territory, if people look for an alternative they pack the family up and travel across the border to go interstate. This is part of the reason the CLP has some significant fiscal challenges in Budget 2016-17.

There is a forecast deficit in 2016-17 of \$794m, a net debt estimate of \$1.97bn – now \$2.7bn – and it is expected to be \$3.1bn. When we see the analysis of the Territory's fiscal position before the 2016 election, the member for Sanderson will be the first one to see us demonstrate, using graphs, the CLP's management of our finances, the Northern Territory and Territory families.

The Treasurer said he has lost \$1bn over forward estimates. However, he also said he made \$900m from the sale of public assets in the Northern Territory. That was one of the centre points of the CLP's fiscal management, which shows how the CLP does business. Yet it has still ended up facing an expected \$3.1bn debt. The sale of the Government Printing Office, government buses, TIO and Darwin port – or, should I say, the long-term, 99-year lease of Darwin port – have all contributed to a cash windfall for this government, in the Treasurer's words, to the tune of about \$900m.

He paid \$75m towards debt, but the CLP has now embarked on spending what is left of the savings. The Treasurer said they have not lost sight of living within their means. However, it looks like there are some serious challenges on the way over forward estimates for the Treasurer, the Chief Minister and the rest of the team on the government side.

I am interested in whether the Chief Minister wants to comment in the wrap up. In his speech he commented that Prime Minister Turnbull and the Liberal Coalition will provide \$40m to the Territory in the Commonwealth Asset Recycling Initiative. However, in Budget Paper No 2 it

mentioned increasing tied funding from the Commonwealth in the form of specific purpose payments to \$27.4m in 2016-17 through the Commonwealth's Asset Recycling Initiative. Treasurer, it would be good if you could clear that up. You have stated \$40m. Does that mean there is more coming in? The current Prime Minister, Hon Malcolm Turnbull, has only offered you \$27.4m.

I will go through a few portfolio areas, starting with the Department of Business and training in the NT. We see a modest increase in the budget of about \$1m. It targets assistance for apprentices and trainees. There are many programs, higher education scholarships, paid work experience with the private sector for students on school holidays, and incentives for apprentices and trainees within existing programs. Thank you, minister, for those modest increases and new programs.

However, as I noted in Question Time today, the real concern identified in Budget 2016-17 is that apprentices and traineeships commencements are down by 600 in the Northern Territory, and apprenticeship and trainee completions are down by 200. There has been a decline in the number of young Territorians involved in training, and being accepted and indentured into apprenticeships, and the completion rates are of great concern. These are our young Territorians. This is the future of the Northern Territory. These numbers speak for themselves, no matter how you try to spin it. It is a real challenge; we accept that on this side of the Chamber. We have ideas about addressing this across the regions and urban areas of the Northern Territory.

I will turn to the environment section. I will frame the next few sections of my budget analysis in relation to what we envisage in the Northern Territory as a frontier oil and gas industry. Let us frame it in relation to the government members and their rhetoric and spin around the potential frontier onshore oil and gas industry of the Northern Territory. When I opened the budget books last year, the year before that and this year to see increased appropriations around realising this industry, not so much in drilling wells and exploring for gas, but in the safety and security of Territory natural resources – it makes common sense to Territorians that this frontier industry should be realised with proper safety, security and regulation.

The Territory Labor opposition has made very clear the pathway we will embark on to shore up the safety, security and scientific analysis of specific Territory conditions. This is not Chinchilla or South Australia; this is the Northern Territory and we are custodians of our natural resources. It makes common sense to design policy that will direct appropriations into studies and research to

make sure this industry is safe and secure, and has proper regulations.

The CLP's Budget 2016-17 is like last year and the year before in regard to increased or new appropriations. I have not seen planning or commitment. I hear threats and intimidation from the Minister for Business and rhetoric from the Chief Minister, so let us look at some figures. In environment appropriation, management and policy, where you would expect to see significant appropriation increases, there was \$7.4m in 2015-16 and \$7.1m in 2016-17. Essentially we have a decrease in appropriation for what is spruiked by this government as the new frontier industry for the Territory. Have you no concern for the Territory's natural resources? Have you no ability to understand what Territorians are demanding? It is not projected in your budget figures.

The Environment Protection Authority, an integral agency in the development of this new frontier industry, received \$537 000 in appropriation in 2015-16. In 2016-17 it received \$557 000 in appropriation. That is an increase of \$20 000, which buys you a Toyota HiLux cab chassis. That is \$20 000 in an end-of-year sale, on the road. We are talking about a frontier industry that will deliver all the economic benefits spruiked by the Chief Minister and talked up by the Minister for Business, reinforced by the Treasurer, and the Environment Protection Authority in the Northern Territory receives \$20 000, which would get them a new HiLux two-wheel drive cab chassis.

Where are the real appropriations? Where is the will and determination? Most importantly, where are the values around the Territory's national resources?

There is a clear distinction and the Territory now has a clear alternative policy from the Leader of the Opposition and the Labor alternative government. They can see straight through the CLP rhetoric. They need to examine budget appropriations to get the background on that.

A balanced environment, which is written in the budget papers – \$780 000 to support appropriate governance, provide government with advice on environmental issues and deliver government's environmental reform agenda. I am not sure how \$780 000 will equate to appropriating the proper, meaningful checks and balances needed to see the potential of a new frontier industry to deliver for future generations of Territorians. A very clear policy on this side, but they do not see any value or appropriation towards delivering those important values from that side.

This is an exploration and development phase of the new frontier industry. In the budget papers

environmental management and policy is a new output, and environmental assessment reports provided to the minister are a new measure. That is good. In 2015-16 we saw the estimate of two assessment reports. There was no report on Port Melville; that was loud and clear.

If you look at a government with form – we had a major port. I visited that port and saw the development of it. I was also briefed on the potential for that port to hold significant volumes of diesel and fuel oil to support the maritime sector. This government completely ignored any environmental assessment; there was no real environmental management.

We had ministers walking away. We had no credibility from a national or international perspective. It brought bad vibrations to the Northern Territory and this government's environmental record.

In the 2016-17 budget they forecast five assessment reports to be provided to the minister. Yet in this area we have not seen an increase in funding. I am concerned that the important agencies, such as the Environment Protection Authority and the department of the Environment, will once again struggle with budget appropriations.

I gave this government the benefit of the doubt and cross-checked with Mines and Energy. I went to the budget appropriations looking for the significant appropriation for the checks and balances, and regulation of what this government is driving as a new frontier industry. I turn to 'Energy Services' and 'Energy Management'; in 2015-16 the appropriation was \$2.5m and in 2016-17 it was \$3m. That is an increase of \$500 000. I quote from the Agency Budget Statements under Mines and Energy:

The increase in 2016-17 is due to one-off funding for a research study into a small scale gas-to-liquids diesel refining facility.

Once again, I was unable to find this appropriation under the Department of Mines and Energy, so now we have the Environment department, the EPA and Mines and Energy all struggling to deliver any new services in relation to what is defined as a frontier industry.

There are applications for petroleum exploration permits that are outstanding, but in 2015-16 there were 135 across the Northern Territory and in 2016-17 there were 165. The budget papers outline constraints in relation to a very loose government definition about no-go zones with no scientific evidence, studies, budget appropriations, will or value. That is why Territorians will be very concerned and looking at a clear alternative to

realising any of these resources in the Northern Territory, if possible.

The Department of Land Resource Management was my next stop. I thought surely we would see some serious indications of budget appropriation increases for water resources. In 2015-16 there was \$15.4m, and in 2016-17 there was \$17m. There is an increase, a budget highlight, of \$2.4m, a four-year program for land and water assessments to determine new agricultural precincts in the Northern Territory. The \$2.4m will continue river and groundwater resources monitoring, and flood mitigation. There were some modest increases in the Department of Land Resource Management and the water resources area. However, it is not directly engaging with serious scientific analysis, the study of our geology, hydrology and fault mapping across the Northern Territory, heritage areas and sacred sites, or understanding the Northern Territory, our unique beautiful and precious environment that we are the custodians of as members of this parliament.

I have crossed most boundaries. If the Treasurer could show me where these new appropriations are I would be very happy.

I will jump to arts and museums and want to add a disclaimer to start with. I thank the Red Rose bar in Tokyo for helping to get rid of the previous Arts minister. Since that minister departed we have seen some serious investment into the arts and culture ...

Mr DEPUTY SPEAKER: Member for Barkly, the member for Greatorex finds that offensive. I ask that you withdraw any comments relating to that, please.

Mr McCARTHY: I withdraw. The member for Nelson gave credit where credit is due. That is a family value I have grown up with so I also give credit where credit is due. If you have to give some credit to this budget it is in the arts and museums sector.

We have a new minister who is interested in the arts and the museum sector. I will go out on a bit of a limb and acknowledge Rhonda Higgins, the minister's wife, who is very keen on the arts and museums sector, and attends a lot of functions. When you engage with that sector, you understand it and grow to love it. The minister is pulling some serious levers in government investment to not only develop our arts and culture sector, but to cross over into the tourism sector, which engages infrastructure, economy and jobs. As a part of our unique Northern Territory in the Australian context, this is a serious platform to build off for our future.

I thank the minister for a significant increase in the budget for the scientific and cultural collections of \$5m. I saw, challenged, and was treated with contempt by the previous minister. I was concerned and had heard many comments from across the Territory about the cuts in the scientific and cultural collections. We have now seen that turn and I congratulate the minister for that.

The NT arts and cultural policy has been delivered to the House today and I thank the minister for his signed copy. I also congratulate the minister on the new capital works program at the Alcoota fossil beds site in Central Australia – an appropriation of \$4m – because I visited that site on an important memorial occasion and learnt from the experts around that site. It is good that this government has realised the opportunities there. I also acknowledge the Leader of the Opposition, the member for Fannie Bay, and the Labor opposition members, who are now planning a significant and innovative arts trail throughout the Territory. That will expose our arts, culture and innovation, and is directly linked to economic outcomes and jobs.

I will jump to local government. The minister provided some great initiatives in this area. It is not a new appropriation in regard to the size or diversity, but there are some areas the Labor opposition acknowledges.

I am concerned that in the budget books – you could probably explain this through the Treasurer in the wrap up – there is \$2.5m budget assistance for the Vic Daly and West Daly councils. I am not sure if that means each; if it does not it needs to be. I have communicated with the original Vic Daly shire and it is in desperate need of financial assistance of \$2.5m to keep the doors open. The West Daly shire also needs a financial top up. This related to a split. This was a political decision and had no real basis. There was no real consultation. It has now reached the point where there is a serious financial legacy for both these regional councils. I hope the Vic Daly and the West Daly each receive \$2.5m in Budget 2016-17 because they seriously need it.

With regard to the \$5.2m in NT/Commonwealth funding for bakeries, I acknowledge Mick Tsavaris and family, of the Warrabri Bakery established in 1979. Minister, if you ever want to see a successful bakery in an Indigenous community, go to Ali Curung and visit the Warrabri Bakery, established in 1979.

In discussions with one of the advisory staff I was told to put a plug to the minister that it was a great idea to continue the Indigenous jobs development funding for regional councils, which was \$7.9m. Thank you, minister. We acknowledge that and

we plan to continue adding to it with our own policy innovation.

I acknowledge the \$2.2m in conjunction with the Commonwealth and local government for the street light repairs and maintenance program, and I am interested in how it will progress further.

Some significant cash has come from the Commonwealth for the remote infrastructure coordination, with the 2015-16 budget allocating \$7.4m, and the 2016-17 budget allocating \$40.8m. That is not a bad increase in Budget Paper No 2. That is an increase in tied funding from the Commonwealth, specific purpose payments and national partnership agreements – \$303m in 2015-16, \$236.1 in 2016-17, which relates to Indigenous essential services, health, education, police and roads.

The minister has a mantra of, 'Labor did nothing'. Sit down, minister, and analyse how much of that still flows through from a federal Labor government commitment to Indigenous people in the Northern Territory. Just ask yourself that, because there was a serious gap of two years from the CLP government, a very big lull in community development. Now you have realised these significant budget resources are back on track, and it has jumped the game considerably from appropriations like \$7.4m to \$40.8m coming from the Commonwealth.

The minister used some interesting quotes in her speech, 'Sewerage upgrades to remote housing, the first in the Northern Territory'. Minister, you obviously did not go to Ampilatwatja when the previous Labor government did the major sewerage upgrade there. Senator Scullion can probably fill you in because he was in opposition, making lots of mischief around that area at the time. I know the local plumbers and the local people, and the Labor government that delivered that upgrade. Good on you, minister; stay on the trail and be careful with your comments, because you need to look at the history and background.

'Labor built homes with no rooms.' That was an interesting comment. I could talk about SIHIP across the Northern Territory. But, minister, you might want to go to Maningrida, where it looked like a subdivision in Campbelltown, western Sydney. I was extremely proud of that. There were constraints and challenges, but when you allocate an appropriation of 100 houses into an Indigenous community in Arnhem Land, you are really doing business. Saying Labor built houses with no rooms should really be, 'I acknowledge Labor's contribution'. There was over \$1.1m. You are spending the last of it. You have the last \$300m and we hope you appropriate that wisely.

In Homelands Extra Allowance we have seen a modern increase. We acknowledge that, but I will always stay on the trail, making sure that gets on the ground. For the last four years I have worked extensively with your department and I thank those officials for making sure it rolls out into the regions. These programs can often get caught up and we do not see the benefits on the ground.

There is \$350m, the last of the Labor funds, going into the remote housing authority ...

Ms MANISON: A point of order, Mr Deputy Speaker! Pursuant to Standing Order 43, I move an extension of time for the member.

Motion agreed to.

Mr McCARTHY: In regard to the comments from the minister for Local Government about the last of the Labor funds that the Liberal Coalition has released to the Northern Territory, the question is what is planned for after 2018? Minister, you may be aware there has been considerable revision of that in Canberra. We will wait and see which government is elected in July, but this is a big question. At the moment you are in the saddle; you are the minister accountable for Indigenous affairs, in my perspective. I look to you for leadership and engagement. We need a definition from Canberra very quickly because we do not want to see any loss of momentum in Indigenous housing. We all know how critical that is for the people in the bush.

I now turn to the appropriation for transport. It would be remiss of an opposition member not to remind the government of the revote. For 2016-17 the revote for roads is more than 50% of the 2016-17 program. I know the constraints around building roads. I also know the ridicule and contempt that was dished out to me as a minister in this area previously. This pushes the boundary. To have a revote of over 50% there are some serious challenges to credibility, particularly for people in the bush.

Relating to that program, the Chief Minister mentioned the bridges on the Tablelands Highway. I thank the Commonwealth and the Northern Territory partnership. It is a revoted program. Unfortunately for the Barkly, it is a one-liner on Budget Paper No 4 for the infrastructure program. I am a bit disappointed in that, Chief Minister. It is a \$7m project, revoted from 2015.

We often see the crossover to the Sandover Highway, for which I have lobbied various ministers intensively over the years. It is a high-productivity road – beef, mining, community. My constituents tell me the value of what goes through the station gate, what travels over that road, the services to communities to improve

people's lives in the bush – that should define which roads get funded. The Sandover attracted \$6m over two years. About \$1.5m is needed to appropriate the bitumen connector road from the clinic at Urapunga to the Arparra airstrip, I am not arguing with that, but it seriously erodes the capital works program for the Sandover Highway over two years.

If you want to see a fiscal contradiction, I will point out the \$16m tennis centre being delivered in Darwin from this budget. I do not want to take on all the great tennis players of the Northern Territory, but, as a previous minister for construction, I remember working on tennis infrastructure in Palmerston and I am aware of other tennis centres. At a time of fiscal constraint, when there is less than \$6m for the Sandover Highway, a major high-productivity road, can we really afford \$16m for a new tennis centre? That will resonate right across the Barkly.

I have a couple of quick questions. The Regional Highlights paper of Budget 2016-17, relating to the Barkly, says:

\$2.74m for preschool education in government and non-government schools.

Can the Treasurer let me know what non-government schools we have in the Barkly? If there is an appropriation going to a non-government in the Barkly, we had better reverse that and get it back into our government schools because there is \$2.74m up for grabs.

I will target the Minister for Education directly. I sat in anticipation after lobbying, for many years, the announcement of the early childhood infrastructure program for Tennant Creek. We need a new preschool and an early childhood development centre, just like the Chief Minister gave his electorate of Braitling. We want to do business in relation to generational change. We are at a critical edge. We know there are 400 kids in the town of Tennant Creek turning four in the next couple of years. An unidentified 20 kids did not get a preschool placement last year. Those kids are now in transition and are finding it very difficult, and the teachers are working really hard to get them up to speed.

The Leader of the Opposition talks about that in our early childhood policy. We need to have these kids and young families prepared. We need them hitting the ground at the formal years of schooling ready to meet the national benchmarks. In Tennant Creek we have a cohort of people with high-support needs, behavioural and emotional, and hundreds are following. Once again, we missed out on the infrastructure. We were talking about a \$1bn budget, and the Treasurer identified

\$109.8m announced for capital works. That was \$109.8m, and Tennant Creek dropped off again.

I could see the Education minister's body language and hear his tone; he feels this pain, but he did not deliver as a Cabinet minister. He talked about how he hopes Tennant Creek Primary School will celebrate the new paint job, and the red and blue chairs and tables. Of course they will, but it was Tennant Creek's turn. Anybody that wants to spin a good old CLP line – I can hear it resonating in the House now. 'Well, you were in for four years; why didn't you do anything?'

This was part of my plan. We delivered a trade training centre, a multipurpose gymnasium and hall, a new multipurpose hall at the primary school, and two lots of \$300 000 R&M grants, which the school councils made wise decisions to appropriate throughout their school communities. We delivered infrastructure in the bush that I had not seen for 30 years, and that was all part of the plan. It was going swimmingly well until 2012.

In 2012 one of my commitments was to fight tirelessly to get new early childhood infrastructure into Tennant Creek. I know a lot of people in the department and am still very connected, and they tell me what is occurring. Now we have achieved notoriety throughout the Territory.

If you look at indicators across early childhood growth, development or assessment, as the minister talked about, you will see Tennant Creek has a real need and has missed out again. Minister, I am extremely disappointed. I honestly believed this need would be addressed and I would have gone home and given you all the credit you deserved, but we have missed out. I will make it my job to continue fighting.

When I say early childhood infrastructure – Labor has innovation, science and creativity. We want to talk about integrated facilities. These are not standalone buildings; this is an integrated concept to take these children and their young parents and set them up to achieve their full life potential. Alas, a budget appropriation that has to be acknowledged – an education budget over \$1bn, and \$109.8m for capital works targeting schools – yet the Tennant Creek school misses out again.

Minister, I will continue with this. Tennant Creek deserves it and needs it. That cohort of children comprises 400 kids turning four years of age in the next few years, anecdotally, according to the assessments in our health and education agencies. The desks and chairs will be a challenge, let alone the behaviour and the full life potential those children deserve and need to develop.

Mr KURRUPUWU (Arafura): Mr Deputy Speaker, it gives me great pleasure to speak on the Appropriation Bill. I congratulate the Treasurer on a good budget. I also take the opportunity to thank the Treasurer for the work he has done for the people of the Northern Territory, in Canberra and the Northern Territory.

This morning was disappointing for me because it seems the Labor Party's plan for remote Indigenous Housing is to build verandas and outdoor barbecue areas. It also mentioned granny flats. The plan leaves a lot to be desired.

On this side of the Chamber, we understand the serious issue of remote housing. Under the leadership of the Minister for Housing and the Chief Minister we are heading in the direction of easing this issue.

Last week we heard the announcement of an independent body to be a community-led one stop shop for remote housing. Yesterday the Treasurer, Dave Tollner, allocated \$1m for the Remote Housing Development Authority.

This authority will give locals much more say as well as reducing bureaucracy, streamlining process and introducing higher standards of efficiency and service delivery. This announcement is the biggest shakeup of remote housing in the history of the Northern Territory. It is another example of how Labor, the previous government, took power away from Indigenous people in remote communities. This Country Liberal government is committed to giving people in the bush a say in how they live.

This new approach has been backed up by a funding agreement signed between the Chief Minister and Senator Scullion, the federal Indigenous Affairs minister. This agreement will deliver 350 new houses and refurbish more than 100 000 others in remote Indigenous communities. These houses will be exactly that, houses, not granny flats, verandas or outdoor barbecue areas.

I commend minister Price on her work in remote housing, and in housing more generally.

Health in remote communities has been an important focus of the Country Liberal government. I am delighted to see the government will continue to invest in healthcare, improving health outcomes for Territorians and providing access to quality health treatment and facilities.

One of the best things to come out of the budget yesterday was the announcement of a new information and communication technology system to manage patient records. The new

system will allow health workers to electronically access patients' records from any healthcare facility anywhere in the Territory. This means that when someone who lives in Maningrida, Gunbalanya or the Tiwi Islands who has visited their community health clinic and finds the need to visit a health clinic in another community or in Darwin, all their records will be electronically available to the doctor.

This will gradually improve the service delivery in the health system. This means a better health outcome for people in my electorate and across the Territory. This government has made a significant improvement to remote community health delivery. I have greatly enjoyed visiting remote Indigenous communities with the Health minister, John Elferink, to officially open new or upgraded clinics.

While talking about health, I want to talk about a serious issue that has been causing distress for my people in remote communities for decades. The lack of morgues in remote communities is a matter that has been raised with me constantly over the last four years. I am proud to stand with this government today to say that we are delivering on our commitment to address this issue, with \$5m committed to upgrade existing morgues and build new morgues.

In my electorate, new morgues will be built in Maningrida and Wurrumiyanga, and the current morgue at Gunbalanya will be upgraded. The Northern Land Council has agreed to the Gunbalanya and Maningrida works, and traditional owners have selected a site adjacent to the health centre in Maningrida. The site at Maningrida is on a separate elevation to the health centre and survey is required before design is undertaken. This is due to be completed this month. Once the survey has been completed the design work will start. The design contractor is Morgue Design Ltd.

The Gunbalanya community has expressed the desire for sites for the morgue to be expanded due to difficulties that are faced in conducting burials in the Wet Season when the ground becomes waterlogged. A site for Wurrumiyanga morgue has not been confirmed; however, community consultation has commenced. Field staff from the Department of Local Government and Community Services attended the local authority meeting at Wurrumiyanga on 26 April 2016. It was agreed that the best location for the morgue was at the health centre. Department staff attended the Tiwi Islands Regional Council meeting on 27 April to commence negotiations on the site of a new morgue. When the Country Liberal government says we will do something, we do it. We said we would address this issue, and we have.

The news from yesterday's budget for the bush just keeps getting better. I have to acknowledge the Minister for Transport and the work he has done with the Chief Minister on infrastructure in the bush. It was great to see \$27m allocated to sealing the road to Port Melville on Melville Island. This is further proof that, unlike Labor, the Country Liberals support the Tiwi forestry industry. Unlike Labor, the Country Liberals support the Tiwi people in their effort to create jobs and build their economy.

One of the most important things to create a viable economy is to have cheap, reliable transport. Because of this need I was happy to see that our government has committed to expand the Tupariyiya Bus Service to operate on Melville Island each weekday, providing a regular service between Pirlangimpi, Paru, Pickertaramoor and Milikapiti. The service will also be available to operate on weekends when community events are scheduled and it will do so in conjunction with other Tiwi organisations, such as the Tiwi Island Regional Council. They will also have a ferry service operating for those events. The operation will be based in Milikapiti and will initially be managed by Bodhi Bus. Not only does this provide cheap transport, it has created jobs for locals, with five employed and 10 being trained.

It was also good to see that barge landings in remote coastal communities will continue to be upgraded, with a \$7.8m commitment. These are only a few of the infrastructure commitments that have come from the budget to benefit my electorate. I am looking forward to going to west Arnhem Land and visiting communities like Maningrida, Gunbalanya, Waruwi and Minjilang to tell the people in those communities how much work will be going into that area.

Earlier I mentioned the Country Liberal government creating jobs in remote communities. This agenda of the government has been pushed heavily by the Chief Minister, Adam Giles, and if it were not for him people in remote communities would still be screaming out for ways to get out of the welfare trap. Unlike Labor, the Country Liberals believe the best form of welfare is a job, because not only do you get an income, you also get a sense of value. You gain confidence, become healthier and, most importantly, you have pride in yourself, your family and your community. That is what the Country Liberals stand for. We will continue to fight to create jobs in the bush despite Gunner and the opposition team. We will continue to create opportunities for Indigenous people to get out of the welfare trap.

At the election, Indigenous people in the bush have a choice. They could go back to a Labor government that prefers them on welfare – Labor took their voice away, like they did with the shires.

A Labor government has no interest in developing the economy and cares more about winning than people. They can choose that or the Country Liberal government led by Adam Giles.

The Country Liberal government believes that Aboriginal people can create jobs and business, and look after themselves. I believe in this government. I have been involved in and worn many hats in various organisations on the Tiwi Islands, and we put many submissions in to the previous government and got knocked back over several years. Some of the delegates went to Canberra and we locked in funding in various departments; we got \$10m to establish the Tiwi College on Melville Island, which has been successful. That is why I went with this government. I am enjoying being part of this government because it is listening to me and my people.

The Country Liberals government believes in Aboriginal people, and that Aboriginal people in remote communities should have a say in how their communities are run.

In conclusion, as a proud Tiwi man, a man of faith, a man of integrity and a man of a culture that is thousands of years old, and as a voice for my people, I will continue to support Adam Giles and the Country Liberals.

Ms MANISON (Wanguri): Mr Deputy Speaker, this is an important debate on the Territory Budget 2016-17. Budget time is such an important time of the year for us, as members of parliament. We know the budget will have a huge impact on the lives of Territorians and it is important that we get as much detail from it as possible and maximise the positive effects it has across the Territory.

It is also timely to look at the performance of the economy as the budget is handed down. Treasury has put many months into preparing these documents, analysing and giving people a true reflection of where the Territory economy is at. From looking at the budget papers, I can see we have some tough times ahead.

When the CLP took government four years ago it was riding a strong wave of economic growth and opportunity. Almost four years later, after ongoing infighting, backstabbing and reshuffle after reshuffle, what has that led to? This government has not done the hard work and grind in order to pull the right levers and manage the economy in preparation for the post-construction phase of the INPEX project. The government, after years of denial about the economy, has finally realised there are some concerning times ahead. You can see that by its own admission; it has said things are in a bit of a lull. When you talk to people on

the ground there, you learn it is more than just a lull.

This is one of the biggest issues cutting across the Territory at the moment. Speaking to people within my electorate, the conversations at people's doors within the last 12 months have turned to many concerns about the economy, employment and how their businesses are performing.

I saw that firsthand last week when I was taken with a tour group to look at some of the steel manufacturing businesses and how they are going across the Territory. It was, frankly, quite a depressing trip, seeing local businesses and people who had been around for a long time saying it is the worst they have ever seen it.

There were many stories about workplaces that used to have 30 employees but are now down to about eight. There were many stories about workplaces that might have had 10 to 12 apprentices over the years and are now lucky to have a few. There were many stories about a small business originally of about eight employees, where only a husband and wife are now trying to run the show. It was horrific to hear what is happening, and to hear firsthand that they do not need to be in the position they are in.

If we had a government with effective procurement policies many of these companies would not be in the position they are in now. They say it is a Buy Local policy, but it should actually flow down to local business and the work should not go interstate to South Australia. People should not be undercut by overseas companies, and Territory businesses should benefit from government expenditure. They are struggling. They are going through an incredibly difficult time. They all said very clearly that this government has failed to act on the messages they sent, and failed to listen when it was told these very things. This government is not driving the Buy Local policy the way it needs to.

We, as an opposition, are doing everything we can to hold this government to account and try to make it listen. After many efforts and pleas it became clear that this government might have started to understand the message around the last sittings, when meetings were held with some of the steel manufacturing businesses.

In a budget there is a great opportunity for the government to ensure it targets expenditure at the right places and that it flows through to creating Territory jobs and supporting local businesses. I hope the Buy Local procurement policies have a real effect. They have failed many of the small businesses which are doing it incredibly tough.

I say that on behalf of Stan from Leanyer, a constituent who came to see me last week at one of my mobile electorate offices. He was struggling. He has been in the Territory for a long time and his family work with him. It was another case of someone telling you that they are looking to the end of the financial year to see whether or not they can justify keeping their business open.

I have seen local workers doing it tough, trying to gain employment. I was fortunate enough to catch up with John from Wanguri the other day. John has been mentioned in Question Time before, following an interview he did with the ABC. John is a good, hard-working, decent man who had not been out of work at any time in his life up until six months ago. Hearing John's story was very tough, and I am hearing many more stories like that.

It is very tough at the moment and it is important that we make sure this budget money flows into the places where it needs to go. In this budget the government has, off the back of significant population growth issues, had issues with GST coming into the Northern Territory. We saw that after the sale of TIO and the port. The government is now pointing to where it spent the money. After the sale of the port and TIO that money appears to be allocated and spent.

Population is a significant issue going forward, which is very clear in the budget books. Clearly this government has had issues securing vital funding for the Northern Territory from the Commonwealth, especially in the areas of health and education. We have also seen the government's cost blowouts in the Palmerston hospital. It has tried to negotiate more with Canberra, but when, by their own admission, they have been tricky or playing games it makes you wonder if we will be successful in getting the funding required for the Palmerston Regional Hospital.

This government, over the last four years, has not managed the economy with a steady hand. We can see the downturn as clear as can be in the budget books, and we hear it from what people on the ground are telling us. It is very clear what is happening at the moment. Therefore it is very important that where money is spent in the Northern Territory economy it flows through to local business and jobs, so we can keep people in the Northern Territory. We do not want to lose more people to interstate. We must stop that.

It has not been helpful or constructive, as a good government should be. It knew the post-INPEX construction phase was coming from a country mile away. It was always a topic of conversation and always a concern with Territorians. The government could see that, yet we have seen four

years of chaos, instability, infighting, reshuffle after reshuffle and change after change. It has not been able to focus away from looking at itself. Government members have not been able to sit back and focus on doing the hard work of government and pulling the right levers across the Northern Territory. They also fail to listen.

Often messages about what is happening on the ground are communicated to the government, but whether it listens or takes action is another matter. We saw in the steel manufacturers' case that they failed to listen and take action, which is an absolute disgrace.

Many people want to speak to the budget, and we have a lot on the parliamentary agenda these sittings. I will try to fit in as much as I can in the short amount of time we have. I will turn my attention to the Power and Water Corporation.

I feel terrible every time I stand in adjournment and have to mention the Power and Water Corporation annual reports, because you have to listen to me ask, again and again, 'Where on earth are they?' Today in Question Time I put to the Treasurer, 'Will you rule out the sale of Power and Water Corporation, Territory Generation or Jacana Energy?', and he failed to rule it out.

The other thing the Treasurer said very clearly is that there are no accounts currently with the Power and Water Corporation. It does not have annual reports for the 2014-15 year. We saw the extraordinary case in the Treasurer's Annual Financial Report where the Auditor-General was unable to provide an opinion on the Power and Water Corporation financial statements. Power and Water is in deep trouble when it comes to having a clear line of sight to its finances and the transparency around it. Prior to the structural separation of the Power and Water Corporation, it was able to provide an annual report.

Since the structural separation – we made it clear to the government that it was not ready at the time. Nobody believed it was anywhere near ready to undergo that process, but the government was determined to ram it through. I think it was trying to do it as early as possible in this term of government – just like the 30% power increase and 40% water increase – hoping people would forget by 27 August 2016. Instead, because of this haste, we have a structurally separated Power and Water Corporation that is unable to provide any financial statements or information that can be verified for the Territory's finances and records.

That is a phenomenal situation, which makes you question the information in the budget books. I wonder if we will see Statements of Corporate Intent so we can scrutinise what is happening in

the Power and Water Corporation and Indigenous Essential Services come estimates time next month. It makes you wonder what on earth is happening, when you cannot see financial statements and annual reports of the Power and Water Corporation, which is worth billions of dollars in assets and finances. Where is the financial transparency around that? There is none if you cannot access the information. That is a disgraceful result of this government ramming through its political agenda rather than taking the time to get things right, but it is typical after what we have seen.

When I pick up Budget Paper No 4 I see an alarming legacy of this government, which is the expenditure across the government owned corporations, such as Power and Water and Territory Generation. Jacana Energy probably does not fit into this boat because it is about the heavy infrastructure parts of the business, but we can still see a significant trend where this government has not been able to come back to the levels of repairs and maintenance investment that was provided to the Power and Water Corporation when Labor was last in power. In the last budget delivered under Labor it sat at nearly \$87m. In the budget for the financial year after that it went down to about \$78m, and the next year \$81m. It got up to about \$87m again in 2015-16, but this year it is down to \$86m. That is a real concern when you consider the age of Power and Water Corporation infrastructure in the Territory. It is not just the poles, wires and electricity networks; it is also the water and sewerage infrastructure.

There was a case in my street today – people fixing burst water pipes. Every month they need to do that because the infrastructure is old. It is important to have a thorough repairs and maintenance budget when it comes to critical, ageing infrastructure in the Territory.

Another point I am interested in is the worrying trend in Indigenous Essential Services. It is a critical component of the Power and Water Corporation and ensures we have reliable and affordable power, water and sewerage services in our remote communities. In the last Labor budget of 2012-13 the allocation was \$23.5m. That is in stark contrast to the budget allocation this year, which is sitting at \$13.2m. Nobody would doubt that we have a lot of ageing power, water and sewerage infrastructure across remote communities in the Northern Territory. That is a \$10m drop, which is significant.

I look forward to estimates and asking more questions in the government owned corporations segment about why the Power and Water Corporation's repairs and maintenance budget is

not at the level it was. Things are only getting older.

A big issue in my electorate at the moment is the Leanyer/Sanderson Wastewater Treatment Plant's \$7m investment. This is desperately needed. I have heard about this issue over the last two months from Leanyer's long-term residents, people who have recently moved to Muirhead and people who have been there for three or four years. The odour from the ponds is becoming an issue. We need to step up and establish better management practices at those ponds, and we need to ensure there is a better level of treatment. It is critical infrastructure for the community. It has to be there, but the management and infrastructure can and must be improved.

Regular complaints, feedback and frustration have been expressed to me by long-term Leanyer residents and new Muirhead residents. More work needs to be done; the \$7m investment is urgently needed. This is not something where you can simply take your time. The works needs to be done as soon as possible.

I return to one of the more concerning issues. This government structurally separated the Power and Water Corporation. We have more legislation coming into parliament, further seeking to separate those organisations. Today the Treasurer did not firmly rule out that the Power and Water Corporation, Territory Generation and Jacana Energy would not be for sale.

We need the government to put it on record if they will sell Power and Water Corporation, Territory Generation or Jacana Energy. Will it be ruled out? If the government intends to do that, it should seek a mandate from the people to do it. Make it an election issue.

If you do intend to sell it, be up front with people about it. Whether it is the poles and wires, Territory Generation or the retail arm, be up front with Territorians if it is your intent to sell it. Do not handle the situation in the same way you handled the sale of TIO and the port. People will not forget that. If you want to sell public assets then seek a mandate.

I move now to education, which is a very important part of the budget and clearly very dear to every member here. We all want to see great outcomes for Territory kids.

I heard the member for Arafura talk about the importance for people to have real jobs across the Territory. It brings a sense of pride and meaning to their life and is very good for the economy – win-win – but for people to have jobs they need a

good education. Without that, opportunities are so limited.

This area will be a legacy of the CLP government because government education has suffered huge cuts under the CLP. We have witnessed 164 teachers cut from the system. A total of 300 support staff positions, including those 164 teachers, have been cut from schools. The last annual report showed about 500 job losses altogether in the Department of Education. If you look through the budget figures, you will see that the government has made cuts, especially in the area of government education. The budget output appropriation of the last year of the Labor government was \$562m. In Budget 2016-17 it is \$560m. When you add indexation to that, you are still not at the same level.

This area has received significant cuts. All our schools have felt the effects of that. They have lost staff and teachers, and have all needed to make some very tough decisions about class sizes and subject selection, and it has been extremely hard on schools. In school council meetings you hear that those schools have made some very tough decisions about who stays, who goes and who they can afford. Sometimes decisions about which teachers they keep are being made based on the teacher's level, as opposed to their experience and what they can bring to the school. They are making financial decisions instead of quality decisions on whom they keep in their staff, which is incredibly tough.

We often hear the Education minister speak about results; he feels that things are going ahead much better and improving. He delivers it very realistically. Clearly everything is not rosy, and we all know that. The Northern Territory is nowhere near the level we need it to be.

In the area of NAPLAN data and students meeting national minimum standards, since 2008 there have been very few areas over Years 5, 7 and 9 with sustained improvement at the required rate. There is a huge drop off in data for Years 7 and 9. There has been no significant improvement at the rate we wanted.

School attendance is critical and we have not seen improvement in that area. We cannot be content with where things are; we need improvement. That is why I was happy to hear, in the budget reply speech from the Leader of the Opposition today, Labor's commitment to \$124m for Territory schools over four years, targeted at restoring the cuts, getting teachers back in the classroom and ensuring there are more support staff to work on early engagement, behaviour management and disability support, which are critical areas for Northern Territory education. Other important areas of engagement in school

are the arts, sport and health. We are very proud of where we intend to go.

I think the Minister for Education has his wires crossed; we are very proud supporters of the non-government schools sector. Catholic schools and independent schools are an important part of our system. Parents must have choice when it comes to their children's education, whether that be in a government or non-government school. The parent is the best person to choose their child's education journey. It is critical that we have a thriving schools sector, non-government and government. I am happy that the government is investing in the development of a Catholic school in Zuccoli; you have not had any complaints about it. We have often said it in the media, so just to make sure that you do not have your wires crossed I will say again: we support parental choice and the non-government school sector. I want to make sure that is absolutely clear and there is no further miscommunication on the issue. It is very important for parents to have choice on their child's education.

The budget for Parks and Wildlife remains unchanged. I acknowledge that the government is planning to do work on the new skywalk. I hope this initiative is consulted on and well-planned. I look forward to seeing more work come forward and will keep a close eye on the project. I heard the Chief Minister talk today about another potential park, so it will be interesting to see how that goes. I am looking forward to hearing more detail about how consultation will be conducted.

There does not seem to be much change in the budget around community service obligations, such as the Territory Wildlife Park and the Alice Springs Desert Park, which is interesting to see.

Home ownership is very important matter to my constituents in Wanguri. A diverse range of people live in the electorate and I would say there are many people who, like me, grew up in the electorate and always wanted to buy a home there and live near their family connections, where their heart is. Wanguri and Leanyer are established suburbs and have been around for a long time. They provide a good range of established housing products with town houses in Leanyer, the public housing complex on Trower Road in Wanguri and the new units on Gsell Street. We have ex-public housing stock and some three-bedroom, one-bathroom places, which creates great opportunities for people getting into the housing market and buying a home.

Then you cut across Fitzmaurice Drive and you are in Muirhead. That new housing is providing some great opportunities for people if they want to live in a new place in the northern suburbs. Often people who are buying and building in Muirhead

have lived in the northern suburbs for a very long time. They have lived in their old house and then want a new house, and decide in the later years of their life they want to live in a new place in Muirhead. If they are in a position where they can afford it, off they go.

I have received constant feedback from people saying they feel frustrated that their house has been on the market for a long time. They are frustrated by the difficulties of getting people to buy their home. It will be welcome to see stamp duty relief for first home buyers in existing properties. The market, people in the real estate sector, first home buyers and people trying to sell their existing homes are all calling out for it. The government was not decisive on the issue. The government heard the message from the real estate sector for some time. There was much lobbying from the real estate sector and others, saying you needed to look at stamp duty relief for first home buyers so the existing property stock would click over ...

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

Motion agreed to.

Ms MANSION: It was an important announcement in the budget, but, as the Leader of the Opposition said in his reply today, we have much better first home buyer relief to get more people into existing homes.

It is also important to encourage new housing construction, which in Muirhead is not happening at the rate it once did. Muirhead was flying along. You can see a few more blocks for sale now, so it is important we target existing homes and give people the opportunity to move into new homes. It is important to have an incentive for new and existing homes. I am glad the budget targets it, but Labor's approach will be more popular because we have more relief and more opportunity for first home buyers, including the \$10 000 for people to get a local tradie to do some renovations.

Renovations are not cheap. A house may not have been painted for a long time or you might need new tiles. It is not a cheap exercise, but getting extra relief when buying an existing dwelling to freshen it up from day one will be warmly welcomed by first home buyers who need help. Ensuring money flows through to local tradies and businesses to create local jobs is what sustains local jobs; it is critical. We, on this side of the Chamber, are proud of that, as well as our response to the budget and what we intend to do for Territory families.

I look forward to estimates and the ability to talk to ministers, chief executives and departmental staff to further scrutinise this budget. It is an important process to see, year on year, how government is performing and where the money is going, so we can put more transparency around government expenditure and ensure there is more accountability around it.

They are very long days and nights. The public service does an amazing job preparing for the estimates process and we warmly welcome their hard work. It is important for Territorians to have more scrutiny of how government spends money and how it is performing, and estimates is a good process for that.

Mr Deputy Speaker, I am very excited about the Leader of the Opposition's plans, which he outlined on behalf of our Labor team today. We have put on the record where we want to take the Territory. I thank you for the opportunity to contribute to this debate.

Debate adjourned.

TABLED PAPERS

Travel Reports – Member for Arnhem

Mr DEPUTY SPEAKER: Honourable members, I table a travel report from the member for Arnhem.

CONSIDERATION OF REPORTS

Public Accounts Committee Report – Public Private Partnership Arrangements for the Darwin Correctional Precinct – consideration adjourned.

Public Accounts Committee Report into Structural Separation of Power and Water Corporation – consideration adjourned.

Northern Territory's Energy Future Committee Key Challenges and Opportunities Issues Paper – consideration adjourned.

Auditor-General for the Northern Territory's August 2015 Report to the Legislative Assembly – consideration adjourned.

Auditor-General for the Northern Territory's February 2016 Report to the Legislative Assembly – consideration adjourned.

Standing Orders Committee Report to the Assembly March 2016 – Motion to Adopt Recommendations – consideration adjourned.

Committee of Members' Interests Report to the Assembly March 2016 – Motion to Adopt Recommendations – consideration adjourned.

Public Accounts Committee Report – Report on Repairs and Maintenance of Housing on Town Camps, May 2016 – consideration adjourned.

MOTION
Alice Springs Hospital

Mrs LAMBLEY (Araluen): Mr Deputy Speaker, it is my great pleasure this evening to talk about one of my favourite institutions, the Alice Springs Hospital.

I move that:

- the Northern Territory parliament recognises that the Alice Springs Hospital is an old hospital nearing its use-by date, with little to no capacity for expansion at the current site on Gap Road, Alice Springs
- the Northern Territory parliament bilaterally supports the need in Central Australia for a modern, new, contemporary hospital in the future and that planning for this new hospital needs to commence now
- in consultation with the Alice Springs community, the government selects a site for a new hospital and commits to completing the construction of the new Alice Springs Hospital on this site by 2030.

Why have I raised this now? I want to talk in this parliament about the planning and construction of a new Alice Springs Hospital by 2030 because the current hospital has outgrown its site. It is an old hospital. Fourteen years from now, in 2030, is ample time for this parliament to organise and plan for a new hospital at a different site.

The Alice Springs Hospital is very dear to me. It is where I met my husband, where I had my two children and where I have gone on many occasions to have myself and my children patched up. It is a very important institution in the life of Central Australians. It is a place we all visit our friends and family who are ill or having children. It is also a place we view as comforting and safe.

When I worked there in the early 1990s a survey was conducted of children within Alice Springs. The children were asked what features of Alice Springs they highly regard and most treasure. It was amazing to note that most of the children who were surveyed identified the hospital as one of the critical institutions in their lives. That resonated with me, the importance of the Alice Springs Hospital in the lives of all people who reside in Central Australia.

The current site of the Alice Springs Hospital, interestingly, was identified in 1963. Discussion and planning for the existing hospital complex

began in 1963, and in 1968 it was initially planned to be a four-storey building. Construction began in 1972 and it was officially opened in early 1976. Looking at that time line, it took nine years to plan the current hospital and four years to build it. In total, it took 13 years from the inception of the idea of a new hospital to the actual completion of the building. I propose that we take thirteen-and-a-half years to plan and build a new hospital for Alice Springs.

The current hospital consists of three main wings. As I said, it was built in early 1976, which was 40 years ago. If we take ourselves forward to 2030, it will be another 14 years on top of that. It will be almost 55 years old. When I was Minister for Health, when we were planning the Palmerston Regional Hospital, many people told me that most hospitals have a 50-year lifespan. After 50 years the repairs and maintenance required on old hospital buildings becomes unviable. We are seeing that with the Alice Springs Hospital.

I am not sure what the repairs and maintenance bill currently is for the old core of the hospital, but I know an awful lot of money has been poured into repairing and maintaining the hospital during my time in Alice Springs, which is over 20 years. I hazard a guess that the repairs and maintenance bill forecast over the next 14 to 15 years would be at least \$0.5bn. I remember, very clearly, being told several years ago that the repairs and maintenance bill forecast for the Royal Darwin Hospital over the future 10 years was very close to \$1bn. These are both old buildings. They were built in the same era to virtually the same design. One is a lot taller than the other but it was the same architect. These buildings are both very expensive to maintain. That bill will only increase in the future.

I was asked on radio if it was possible to go vertical and increase the height of the current Alice Springs Hospital rather than go to a new site and start again. My immediate reaction to that, after having worked at the hospital for six years, was an understanding that most patients of the Alice Springs Hospital are Aboriginal – 30% of our population in Central Australia is Aboriginal – but the beds in the Alice Springs Hospital are mainly taken up by Aboriginal people because of their generally poor health status.

Aboriginal people do not like air conditioned buildings, which I learnt very clearly from my time in Alice Springs Hospital. If they can get outside and sit on a veranda, the footpath or the grass, that is what they prefer to do. Going up is not culturally suitable or appropriate for Aboriginal people; they much prefer to spend time outside when they can. Although it would be possible to increase the number of floors on the current

building of the Alice Springs Hospital, I do not think anyone would see that as appropriate.

In recent times I had the misfortune to spend a 24-hour period sitting in the Alice Springs Hospital. My husband and I, who both worked at the Alice Springs Hospital, noted just how dark the inside of the hospital has become. As more bits and pieces have been added, the natural light coming into that main core of the building has been significantly reduced. That will only worsen over time as more bits are added. Over the last 20 years it is incredible how many extensions and add-ons have been built onto the core part of the building.

At some point a decision has to be made for that to stop and we will start afresh. Having been such an integral part of the planning for the Palmerston Regional Hospital for two years, I can see too many advantages in starting again rather than continuing this process of trying to patch up an old and ageing hospital.

There are other hospitals throughout the Northern Territory, such as Katherine District Hospital, Tennant Creek Hospital and Nhulunbuy hospital, which are also older buildings. I have listened to the member for Katherine, on numerous occasions, talk about the need for a new hospital in Katherine. That is not because the Katherine hospital is unsuitable or not big enough, or that it is outgrowing its current site like Alice Springs Hospital, but because it is in a flood area, which makes it a different challenge.

The original hospital was envisaged and planned when the Alice Springs population was forecast to reach 38 000, possibly 60 000 by the year 2000. That is interesting. These figures were provided to me by a local historian. The Alice Springs population has reduced since I have lived there, over the last 20 years. It has gone from 28 000 to approximately 25 000, I read in one of the budget papers provided on Tuesday.

It is interesting that although the population has reduced in Alice Springs and slightly increased in the outlying parts of Central Australia in the bush, our health needs have increased over the last 40 years since Alice Springs Hospital was originally built. Our health needs have become more complex and the diagnosis of chronic disease across Central Australia has proliferated. People are being treated for more medical conditions now than 40 years ago, with diagnostic medicine improving and the treatment of different conditions commonly suffered by Centralians increasing. We know renal disease has become a greater problem. It is better diagnosed and better treated, but the demand for renal beds has increased. That is probably one of the better examples. Even though the population that the hospital was

originally built for has decreased, the health needs of Centralians have increased.

It is interesting to note that in 1964, when the hospital was being planned, it was proposed to include a heliport on the roof of the multistorey hospital. That was an idea revived by the member for Alice Springs, Denis Collins, in 1981. Obviously that did not come to fruition. I do not think we have too many helicopters hovering around Alice Springs Hospital, nor do we have the need. Perhaps in a new hospital with more space that would be an option, depending on where the new site is determined. Speaking of new sites, one of the main issues that people have raised with me is where this new hospital would go.

I think that is ultimately up to the people of Central Australia to decide. I have been asked what my opinion is and the best site I can see would be located south of Colonel Rose Drive. Between Colonel Rose Drive and the airport there is a significant parcel of government-owned land, which I think would be ideal for a hospital. It is a large piece of ground adjacent to the new Kilgariff subdivision, close to the airport, and could easily be serviced by public transport links.

Other people will have other ideas and I do not want to be fixed on anything. This is about the future of Alice Springs. It is about the future of hospital care in Alice Springs, looking toward 2030.

I think, as a starting point, it would be good if we could all agree that a new hospital in Alice Springs is needed and that it would involve a new site. Someone else informed me that a site has been identified along on Undoolya Road for a new hospital. This came as a complete surprise for me. The person who told me that convinced me that it was on the town plan; this parcel of land had been designated for a new Alice Springs hospital many years ago.

I have been unable to find any evidence of that but it would be worth looking into. People will have their own ideas of where a hospital could be constructed. I think it would be a positive part of the process to engage the community in debating the issue of an appropriate site for a new Alice Springs hospital.

Then we come to money, funding. How would we fund an Alice Springs Hospital? Having spent two years of my life totally fixated on how we would fund the Palmerston Regional Hospital, I do not see this as a huge problem. My brief as the Health minister for two years, 2013 and 2014, included looking at a public-private partnership and attracting private investment into the Palmerston Regional Hospital. Up until when I was removed from the Health portfolio we were

well on track to providing that. We also had considerable interest from private health providers to invest money in the Palmerston Regional Hospital.

It is possible, especially if you take the time and establish a very strong financial case. If it is financially viable you will attract private investment. I recall the advice I was given by the then Health minister in Queensland when I asked him how he built and funded hospitals in Queensland. Lawrence Springborg said, 'Robyn, we tell the private health care providers what we want and they provide it. We are not in the business of building or paying for hospitals.'

That is where we have to look with the building of new hospitals in the Northern Territory. The traditional default position we have seen the government move to in the funding of the Palmerston Regional Hospital is old-fashioned and very limited. The Palmerston Regional Hospital budget has gone from \$150m, struggling to \$170m – I read the other day that there will be a significant shortfall. I would not be surprised if the bill for the Palmerston Regional Hospital goes to as high as \$250m or even \$300m at the end of the day.

We knew it would cost a lot more than \$150m, which is why we were looking at private investment. But the pressure of politics and commitments for the time line of the Palmerston Regional Hospital meant that pursuing a full public-private partnership and private investment in that hospital was not possible.

If we consider building a new hospital in Alice Springs by 2030 we will have 14 years to secure that procurement and investment model, which is easily attainable. We can make a strong case for this new hospital being viable and that it would be attractive to private investors. Given the time frame I am proposing, we do not have to lock ourselves into unrealistic time frames that do not fit in with elections and political ambitions.

What I am proposing is extremely reasonable. It is a good idea. It is about planning for the future health needs of Central Australia. It is not outrageous in any way. This is not about politics. It is not about the upcoming election. When I was the Health minister I intended to put this on the table. The staff around me at the time, both departmental and ministerial, knew this is what I intended to do.

Being suddenly removed from that ministry meant I did not have the time to put this on the table, but I had identified the site and plan in my mind, and it was going to happen. But that is politics; sometimes things do not turn out the way you

think they will. My political career is testament to that.

I have a very strong personal connection to the current Alice Springs Hospital site. I had the wonderful opportunity to work with incredible people in the hospital. Some of my best friendships were made during the time I was a hospital employee.

My motivation in putting this forward tonight is purely common sense, as a member of parliament and the member for Araluen. This is my community, which I have been part of for many years. This motion is about an institution I have been part of for many years, but I can see, as can others, it is time to plan for the future. It is time to make a sensible decision, 14 years out, about the need for a new hospital.

Medicine in Central Australia is unique. Alice Springs attracts health professionals from across the globe. The complexity of the medicine and the people of Central Australia are unique. This new hospital could become a centre for excellence in regard to desert medicine and remote medicine in Australia and the world. With new buildings and facilities, and a larger piece of land which could provide for efficiencies and co-location, it is an exciting concept to put on the table and it will change Central Australians' lives. It will give us all something to look forward to and help us to stop investing as much money as we have been into maintaining an old, antiquated building. Let us put that money aside and save it for a new Alice Springs hospital building.

On Sunday I visited a friend of mine in the Alice Springs Hospital and as I walked out I noticed a new sign had been put up at the entrance, which said, 'Alice Springs Hospital upgrade; \$32m funded by Australian and Northern Territory governments; completion mid-2018.'

I immediately rang various people who I thought would know something about the sign and, strangely enough, no one seemed to have an explanation. What does that mean? What does that \$32m upgrade consist of? It is an interesting sign to put up at an interesting time, being a couple of months out from a federal and Northern Territory election. That is money we could put aside to create something very special for Alice Springs.

I was pleased to hear yesterday that when the Mayor of Alice Springs was asked on ABC radio about his thoughts on planning a new hospital in Alice Springs for 2030 he said, 'Planning is always a smart thing to do'. He supported it, and it makes sense. It is not about the politics. It would be very reasonable to expect that both sides of this Chamber would support what I am putting on the table tonight. I cannot think for a moment why the

current Health minister or shadow Health minister would have a problem with this very reasonable motion.

I will not labour this motion any further. I have put my case forward that it is time for this parliament to start planning for an important hospital in an important part of Australia and addressing the health needs of some of the most disadvantaged people in Australia. It is important for us to have a contemporary and modern facility that reflects how important Central Australia and its people are.

Mr ELFERINK (Health): Mr Deputy Speaker, the government is not automatically averse to the idea of planning. We spend a lot of time doing exactly that. I confess to an element of surprise when notice was given of this motion – to the notion in the motion *per se*.

Upon becoming Health minister I thought fleetingly about applying for the title ‘royal’ for Alice Springs Hospital, but that leads to an extremely unfortunate acronym and we will not pursue that. I looked into the Alice Springs Hospital because collectively, on and off, I have lived in Alice Springs for the best part of 15 years since the mid-1980s. I am familiar with the hospital. I worked as an ambulance officer and police officer, and did many shifts as a volunteer ambulance officer in Alice Springs, so I am familiar with what Alice Springs Hospital once was, especially its A&E department, from delivering patients to the hospital.

On the basis of those observations the commitment, no matter where the money comes from, would be in the order of \$800m to \$1bn. I have gleaned that from the department. That is not to say it should not happen, but it will be an expensive exercise.

I want to briefly touch on the model the member for Araluen argued for in regard to a PPP. Projects of that size may well have merit in the PPP arrangement, but you have to be a bit cautious about how they are structured. Whilst I understand the member for Araluen’s enthusiasm for a PPP arrangement for the Palmerston Regional Hospital, I cannot bring myself to agree with her that it is the correct model to use in this instance.

I examined PPP arrangements in other jurisdictions. The Queensland Health minister, Lawrence Springborg, referred to hospitals which would have been multibillion dollar exercises. Moreover, PPPs, as exercised by the Education department in New South Wales, were to build new schools but were building clusters of schools under the PPP arrangement. Each school was worth, for argument’s sake, \$200m or \$300m. You had to buy a cluster of them, 10 or 15, to

satisfy the value extracted from a PPP arrangement. These arrangements generate detail, and it is the devil in the detail when it comes to the PPP environment.

Look at the Darwin Correctional Centre, created by the former Labor government, for example. The arrangement was to build a new gaol for \$495m which was then to be paid back at \$60m a year over 30 years. The overall expenditure over the life of the arrangement, in today’s dollars terms, would be \$1.8bn. That is easy to say, and when you start talking about millions and billions of dollars people’s eyes glaze over and it does not make much sense to them.

Let us put the PPP arrangement with the gaol into context so people understand. To give it a contextual environment, let us change millions into thousands. Let us say the former government wanted to build a new building; the former government is a person and they wanted to build a new house. They had some land and were happy with that so they went into the marketplace and said, ‘I want to build a new house’. They discovered the cost of construction of that house would be \$520 000, and they said, ‘That is a bit exy; I wonder if there is a cheaper way to do it.’

Then somebody said, ‘If you convince somebody else to build, own and operate it for you and you pay a certain amount of rent every year, they will give it to you after 40 years’.

The government then went into the marketplace and asked, ‘Who can build me this new house, nice and cheap?’ Remember I am turning millions into thousands for the purpose of this conversation. Along came somebody who said, ‘I can build you a house for \$495 000’. ‘That sounds all right; I will provide you the block of land.’

They sat down and came to the contractual arrangement, and this is how it effectively worked. ‘We will build you a house for \$495 000 as long as you pay us \$60 000 while we own it for the next 30 years, and then we will hand over the house in the same condition in which you occupied it 30 years prior.’

If you work that out in thousands of dollars, in 30 years you would have paid \$1.8m for a \$500 000 house. The PPP arrangement worked with the former government’s arrangement in exactly the same way, except it is in millions of dollars. Consequently, we will end up paying \$1.8bn and occupy a building that is worth, in today’s dollar terms, little more than \$500m.

That is not a good outcome for the taxpayer because – if you use the house analogy – when you borrow money to build a house you pay in the

order of about \$20 000 to \$25 000 a year in house repayments, when the arrangement you have struck with your provider is \$60 000 a year. They also promise to paint the walls, clear the gutters and keep the car port tidy. I do not believe that is a particularly good return. It is demonstrative of the reality of a PPP arrangement, which needs to be calculated in billions of dollars to be able to extract the value you need because of the efficiencies to be gained. That was the opinion of the Northern Territory government architect for the Palmerston Regional Hospital.

For those reasons I am cautious about PPP arrangements for a project of the size described by the member for Araluen.

If you go into a planning process like this, I suspect the department spends a lot of time looking at various physical institutions around the Northern Territory. That includes all clinics and hospitals. We are aware that the Royal Darwin Hospital was built at around the same time as the Alice Springs Hospital. Its construction was about 1976. We have continued to maintain that building and improve upon it, as has been done with the Alice Springs Hospital. Other hospitals in the Northern Territory which have needed improvements have received those improvements in a timely fashion.

In the budget you will find that we have money for the Gove hospital and for upgrades to the Alice Springs Hospital, and we have just spent \$64m to upgrade the Royal Darwin Hospital. We have also committed \$170m to the Palmerston Regional Hospital, which is now well under construction as the second floor goes on.

We have replaced many clinics in the bush. Last week I came back after opening the Papunya clinic, as well as the Titjikala clinic. Those clinics have been expanded. There will always be an inclination to improve existing infrastructure. The Royal North Shore Hospital in Sydney, the Royal Prince Alfred Hospital and similar hospitals have been in the same location for well over a hundred years. The original buildings are no longer relied upon, but the same location is used as technology changes.

If you plan a new Alice Springs Hospital, I would not automatically exclude the notion of moving the site. If I know the Alice Springs population it would surprise me if the idea of using land south of Colonel Rose Drive got popular support, but that is a matter for them through the consultation process being argued for by the member for Araluen. When planning for future hospital infrastructure in Alice Springs, you would have to include the notion that you stay where you are and work on-site.

The site of the Alice Springs Hospital is not insubstantial. I agree with the member for Araluen that there are many buildings which have passed their use-by date. If that is the case, knock them over and plan more effectively for the site. Buildings such as the Centre for Disease Control date back to the 1950s and would be easy to knock over. There are other buildings surrounding the major buildings of the hospital which could also be knocked over. I would not suggest you knock over the Royal Flying Doctor Service building; that would be heritage-listed. Many buildings could be replaced, but when planning into the future you would look closely at them.

I am unaware of any suggestions for the site to be located at Undoolya Road. I note that the member for Araluen said she is also unaware of it. If we were to go through a consultation process, we would examine all options. I am not sure why Undoolya Road would be considered. The central location of the existing building is a strong attraction for keeping it where it is.

We are building the Palmerston Regional Hospital because the original Royal Darwin Hospital was erected long before Palmerston was ever contemplated. Palmerston did not come off the drawing board until the very early 1980s, and Royal Darwin Hospital was built in 1976. I understand that Royal Darwin Hospital is located where it is today because it was anticipated that it would be in middle of the northern suburbs, which were to continue pushing up the peninsula towards Lee Point. We are only now starting to see the manifestation of that development with Lyons and Muirhead. The then Administrator of the Northern Territory expected the land beyond that to be where the northern suburbs expanded to.

The anticipated design in 1976 was for the hospital to be placed in the middle of the northern suburbs, which makes sense. The administration of the Northern Territory changed on 1 July 1978 when we became our own body politic and different planning philosophies were applied. For that reason the Royal Darwin Hospital now finds itself somewhat awkwardly located on the fringe of the northern suburbs without the suburbs surrounding it *per se*. It is approximately 32 km from the Palmerston CBD, which is the fastest growing city in Australia. We have gone from the hospital being centrally located a few decades ago to an environment where 30 000 to 40 000 people are located quite a distance away from the hospital. The satellite hospital, which is the Palmerston Regional Hospital, needs to be built to accommodate those services.

That circumstance is different to the circumstances surrounding the Alice Springs Hospital, which is smack bang in the middle of Alice Springs. It is a

short stroll from the CBD and you only have to walk 300 m to 400 m to make your way from the front door of the hospital to the mall. That is an important component of hospital management and design, and it is for that reason the major hospitals in the southern cities remain close to their population centres. I suspect that is the reason the hospital under construction in the Adelaide CBD has been located next to the Adelaide Convention Centre, theatres and casino.

The planners of the Adelaide hospital have used the whole footprint of that block. They did so because their anticipation was that people would want to be in a centrally located hospital. For that reason I suspect you would find a fairly high level of resistance to the notion that the hospital should be moved to south of Colonel Rose Drive in Alice Springs. That would place the hospital about 7 km or 8 km from the heart of the Alice Springs CBD. If you place a pin in the post office on a map of Alice Springs and mark a circle of 8 km in any direction around the post office, you will see that you are no longer in the CBD but outside the town boundary in most instances. That is not something I would immediately subscribe to.

Nevertheless, I accept the notion that planning for the future should always occur; that is what governments do. One thing that drives the planning process is advice from the people who have to live and work within those systems. The need for this to occur has not been raised with me in any way by the department or, for that matter, any doctor, nurse or other medical employee in the Territory.

I have heard many arguments for improved services in Alice Springs, which is why you see continued budget commitments to the improvement of those services, but I would be instinctively disinclined to think the removal of the hospital from its location to another site at the fringes of the town boundary, at the cost of \$800m to \$1bn for the buildings, would gain popular support. And I imagine getting services such as water and power would add to the cost of a hospital of that nature.

However, as a conversation piece, the member for Araluen has thrown it out there. If there is an up-swell of popular support in Alice Springs for this notion, the next Health minister of the Northern Territory will doubtlessly be galvanised into action and start the planning process. Who knows? It is a funny old world and the member for Araluen, through one organ of government or another, could ultimately become the Health minister of the Territory all over again.

Mrs Lambley: Unlikely, John, but nice thought.

Mr ELFERINK: It is possible, and if she can convince her Cabinet colleagues that it should occur, that is how the processes would step forward.

I do not wish to diminish the member for Araluen's efforts in any way for bring this to this House. I will not support the motion if it is put to a vote beyond the voices, but I think the member for Araluen has achieved her intent in this instance to start the conversation.

The member for Araluen has already circulated a newsletter to the people of Alice Springs, describing her ambitions in this area. All good local members advocate on behalf of their electorates and communities, so I will not diminish the member for Araluen for that reason.

Having made all those observations, I note that there are other matters for this House to attend to; therefore I do not intend to extend this debate beyond what it is. I shall not support the motion, but I thank the member for Araluen, as a good local member, for galvanising herself in this area.

Ms WALKER (Nhulunbuy): Mr Deputy Speaker, I thank the member for Araluen for introducing this motion for debate in the final General Business Day of the 12th Assembly ahead of the August election.

It is a very considered motion and, like the Health minister, we agree with the need to plan for not only the Alice Springs Hospital, but all hospitals in the Northern Territory.

I note the comments from the Health minister about the new Royal Adelaide Hospital, which is nearing its completion. As an ex-Adelaide person I did not think I would see the day the old Royal Adelaide Hospital on Frome Road would develop into a phenomenal new hospital, situated at the intersection of North Terrace and West Terrace. It is an unbelievable, big project. The price tag I am unsure of, but it must be somewhere in the vicinity of \$2bn.

Governments need to plan for the eventual replacement of old hospitals and potential repurposing of hospitals. I am sure we all recall the old hospital in Canberra, which was blown up and destroyed a number of years ago. Numerous enhancements and refurbishments have been made to the Alice Springs Hospital under the Labor and Liberal governments, which include a new emergency department and imaging services, upgrades to the reception area, a training and education room, and expansion of the visitor parking area to name a few.

My first visit to the Alice Springs Hospital was in 2014. I cannot remember which month it was, but

it was in my capacity as the shadow minister for Health. I was very impressed with the significant emergency department upgrade, at a cost of \$25m, which delivered a long overdue facility that enabled staff to provide a vastly improved level of clinical care in a well-designed environment. With that comes a safer and vastly improved environment for patients.

From an outsider's view, after being walked through that hospital for the first time I thought it was a pretty impressive facility. It struck me that there was good space and good access. It appeared modern and bright.

Perspective is based on what you are familiar with. The member for Araluen visited Gove hospital on a few occasions in her capacity as a Health minister. She was always warmly welcomed by the staff there. My impression of the Alice Springs Hospital was based on what I know from the Gove hospital, which is older than the Alice Springs Hospital. It is a very serviceable medical facility. My first impression was that the Alice Springs Hospital was a good place, and if you were in there as a patient it was not an unpleasant environment to be in.

While these upgrades have taken place at Alice Springs Hospital and other hospitals in the Territory, it does not detract from the fact it is an ageing facility. The member for Araluen said it was opened in 1976. For some reason I thought it must have been older than that because Gove hospital was completed in 1971. I am not sure how old Katherine hospital is, but it has a nice feel to it. I confess I have not visited Tennant Creek Hospital. I must put that on my list of travels.

Given the expense associated with building a new hospital against a finite budget, as we are acutely aware of on both sides of this House with the Palmerston Regional Hospital, we obviously need to plan for our health and hospital services. As part of its jobs plan Labor has announced a rolling 10-year infrastructure plan, and planning for health and hospital services will be included. As part of that rolling infrastructure plan, we support the current master planning that is occurring under the Department of Health for all our hospitals and health services, including remote capital needs.

Planning for health infrastructure needs must go hand in hand with clinical services planning, population planning and forecasting. I note the member for Araluen's remarks when putting this motion forward on the growing health needs of those who are reliant on Alice Springs Hospital, if not the growing number of people accessing Alice Springs Hospital for those needs.

Territory Labor commits to making sensible decisions in government based on need, budget

availability and clear priorities. We are committed to implementing initiatives that reduce the need for patients to be admitted or readmitted to hospital. This is a long-term view, but it is important for governments to take that long-term view and make commitments that go beyond a four-year electoral cycle.

Our blueprint for health in the Northern Territory was released in February this year. I launched it on the steps of the Royal Darwin Hospital. As part of the blueprint we want to see a health system that focuses on the front end, the prevention side and the infrastructure that keeps people well.

Our commitment to the health, wellbeing and development of children was clearly articulated by the Leader of the Opposition in his budget reply, and I fully support him in placing children front and centre of the next Labor government should we be elected in August.

Our expansion of the Nurse-Family Partnership Program was based on the evidence from the successful outcomes that Central Australian Aboriginal Congress showed us during our visits. We want to see this program implemented across the Northern Territory in time.

Our health roadmap recognises the importance of investing in health services from birth, accessible services for children and young people, housing, universal education and the role of community sport and recreation.

We recognise that we have vulnerable populations where chronic disease is a feature, and we need to invest in promotional health in the community as well as via our Aboriginal Community Controlled Health Organisation. Again, this is part of a longer-term view of Territorians' health needs.

We recognise there is a need for more services to prevent people from going to hospital, and there needs to be an alternative to hospital for certain patients which is closer to their home. I am talking about aged-care beds, renal chairs in community and more patient accommodation close to regional hospitals so not all patients end up in a hospital or in Darwin, a place foreign to my constituents.

Unfortunately there have been failures on some of these fronts under the current government. It has taken a long time for the government to utilise the \$11m, which was once \$13m, to support renal chairs in remote communities.

We have not seen any new aged-care beds, and the funding for patient accommodation from federal Labor for the Katherine hospital and Gove District Hospital was returned to the Commonwealth by the current Treasurer when he was the Health

minister. We are talking about \$5.8m for patient accommodation at Gove hospital, and \$7.7m for patient accommodation at Katherine hospital. It is gone. The funding was sent back to the Commonwealth on the strength of the Treasurer saying it was not needed because these places were only for long-grassers – his words – and that the local pubs provided adequate accommodation for people who needed to come in for treatment but did not necessarily need an acute care hospital bed.

We also need to talk about maximising the use of telehealth, which the government supports as it can keep people in their communities and keep down costs associated with the costly PAT Scheme. Territory Labor recognises the need to plan for our health services in partnership with private providers, the NGO sector and Aboriginal Community Controlled Health Services. We need to plan for increased demand for services to assist with diabetes management, cardiovascular disease, renal dialysis, rheumatic heart disease – a very preventable disease – and foetal alcohol spectrum disorder.

We have unique and difficult challenges in the Territory health system, and Territory Labor is committed to working with communities, clinicians and our service partners to improve the overall health of Territorians. One thing we know, on both sides of this House, is that it will take time. That is why our policies to date are stressing the importance of improved early childhood health and education, improved housing and opportunities for jobs. These factors are important to good health and wellbeing.

With regard to the motion for a new Alice Springs Hospital by 2030, Territory Labor is not in a position to support or oppose the motion but, member for Araluen, we recognise your insights as a previous Treasurer and Health minister, and long-term resident of Alice Springs. We also recognise the need for master planning for Alice Springs Hospital and all other hospitals in the Northern Territory. We want to understand the clinical requirements of the Alice Springs community alongside the clinical needs and priorities of the rest of the Territory within budget considerations. Technical and expert advice is required for these decisions.

Mr Deputy Speaker, I will be a bit cheeky and remind the member for Araluen about what happens when you do not have committed and long-term planning. Gove hospital ED had \$13m of federal funding committed to it and those funds have been shaved off, such that we do not have a greenfield site for a new ED. There will be a brownfield site.

I understand the intent that drove the member for Araluen was partly to see \$5m of that \$13m go to

Alice Springs Hospital for the establishment of a palliative care unit. Whilst a great plan, and whilst Gove hospital will get an ED, it is a difficult project. The budget papers show some additional money has been added to it, which demonstrates that a brownfield internal refurbishment of an old building will be more costly, and the logistics of how the hospital will continue to operate once the entire first floor is taken up with refurbishments makes for its own challenges as an operating hospital.

I know you are disappointed, member for Araluen, that the \$5m which was shaved off to go to Alice Springs for a palliative care unit is no longer delivering one. I tabled in parliament yesterday a petition with 1356 signatures from not just Alice Springs residents, but people in Central Australia who really wanted to see that palliative care unit. But under the current government they will get a multipurpose facility. That flies in the face of everything we know about palliative care and having a dedicated purpose-built facility for people at the end stage of life.

The member for Araluen has been a vocal supporter of palliative care, as has the member for Namatjira, but the members for Greatorex, Stuart and Brainting, as Alice Springs representatives, appear to have been silent to date on this project. It highlights the need for long-term planning and master planning for the future of health infrastructure, and it highlights the risks of unstable government that chops and changes its ministers, impacting on planning, decision-making and commitments.

I thank the member for Araluen for bringing this matter to the attention of the House. She is quite right; it is about commonsense planning. She is a hard-working local member who is very focused on the needs of the people of Alice Springs and Central Australia, perhaps more so than some of her Alice Springs-based colleagues who sit on the government benches.

I thank the member for Araluen for bringing this before the House for consideration. I have told you of our dilemma in regard to supporting or opposing it, but in principle we support the need for longer-term planning around our hospitals.

Mr WOOD (Nelson): Madam Acting Deputy Speaker, this highlights the fact that if you look at a motion like this one, you need all the facts. I agree with the member for Nhulunbuy. I support the first two paragraphs but on the last one I do not have enough information.

I would not vote on this, not because I do not think it is worthy of support but I simply do not have enough information about the selection of a site or a specific date.

The member for Araluen said we need to plan ahead for a hospital in Alice Springs, and that we have to do it now without too much political interference. Unfortunately the Palmerston Regional Hospital's siting had more to do with local politics than it being in the right place.

The decision has been made, but some people believed that a new hospital should be in Berrimah, that RDH would eventually be replaced and that Berrimah Farm on the main highway would be an ideal site. There was also discussion about whether a hospital should have gone to Weddell.

Much of the debate was about the distance people had to travel in a city like Melbourne and whether the Palmerston hospital was too close if you are looking at long-term establishment. But it is where it is. If you can discuss this without too much political interference it will be good.

Perhaps there needs to be some more discussion about the hospital's needs, which was raised by the member for Nhulunbuy. I have raised this before, the need for a good hospice. A good friend of mine works at Alice Springs Hospital as a volunteer. She has worked there for many years and she said they had just spent about \$32m on the hospital, but what they need is a hospice.

I am surprised they do not have a hospice, because we have had a hospice in Darwin for a long time. It is a beautiful place. Anyone who has been there or has a friend or relation who is dying would know that it was well planned. It was planned and designed with the community's help.

If you have ever been there you will know that you can choose natural air, fans or air conditioners. Your family can stay with you overnight. It is a well-designed hospice for everybody, Aboriginal or non-Aboriginal. It is surprising that the government is putting all this money into the Alice Springs Hospital and has not included a hospice. It is even more surprising that in the budget announced yesterday the Minister for Health said:

A total of \$5.3m was removed by the former Health minister from the Gove facility to be spent in Alice Springs on a multipurpose facility. I note the petition ...

That is, the petition the member for Nhulunbuy mentioned:

... that was read into the Hansard record earlier today in relation to palliative care services, and, clearly, one of the primary functions of the multipurpose facility is for palliative care services. They are not excluded.

No other palliative services that exist currently in Alice Springs will be diminished. The Spicer Crescent facility will continue to receive support. The reason the multipurpose facility continues to operate is twofold; one is that the former Health minister committed to a multipurpose facility in spite of public utterances to the contrary; and two, we will still have a focus on palliative care, but if those beds are vacant because they are not required for palliation then they should be available for other purposes. We will leave it up to the managers and clinicians of the Alice Springs Hospital to ensure that palliative care patients are effectively looked after and their treatment is in no way diminished in relation to clinical decisions for other people.

There is a further \$16.2m to continue the remediation and upgrades at the Alice Springs Hospital which, in total, is \$38m for the project. That is not insubstantial either.

My friend basically said she does not believe the hospital should be moved, but she was looking at the immediate concerns as a worker in that hospital. She feels that the most immediate improvement needed in that hospital is the addition of a hospice. When the member for Araluen gives her response – I do not know if it is the same people asking for a hospice. Obviously many people want it or they would not have signed the petition. It is desperately needed in Central Australia.

In relation to where this hospital should go, the member for Araluen has a better understanding of the geography of Alice Springs. I remember debating the new suburb of Kilgariff, which took a long time to get off the ground. It was developed as a new suburb at the same time as we were discussing Weddell in the rural area. The same company involving the community in planning there was also involved in developing the new area south of Alice Springs.

I do not know if a hospital site was selected during the design of Kilgariff or if there is room for one. As the minister said, sometimes people in Alice Springs get a bit fickle about things moving out of town. There was talk about moving Anzac Oval to Kilgariff.

If you need space – anyone who has been to Alice Springs Hospital knows it has a jam-packed parking area which is difficult to get into – and want to look at the long-term needs of the hospital, give it the same level of planning as the Palmerston hospital. Sufficient car parking is being looked into so people do not experience the

bottlenecking that currently exists at the Alice Springs Hospital.

I am happy to support what the member for Araluen says, that the Northern Territory parliament recognises the Alice Springs Hospital is an old hospital, nearing its use-by date. If the government is putting in \$32m, it might extend the use-by date. There is also mention that the Northern Territory parliament bilaterally supports the need for Central Australia to have a modern hospital in the future and that planning for this hospital needs to commence now. Anyone would support that.

I do not have enough information to support the last part, which asks that in consultation with the Alice Springs community the government selects a site for a new hospital and commits to completing its construction by 2030. It also forces a future government into a position that may need to change. As a motion it does not receive a binding commitment from any future government.

I thank the member for Araluen for bringing this to the parliament.

Mrs LAMBLEY (Araluen): Madam Acting Deputy Speaker, I thank my colleagues in the Chamber for participating in this debate: the Minister for Health; the shadow minister for Health, the member for Nhulunbuy; and the member for Nelson.

I have put forward an idea or a vision for Alice Springs. If I am re-elected in a couple of months' time I will bring this back to this Chamber. I will not go away quickly, hopefully, and this issue will not go away. We have an old, antiquated hospital in Alice Springs. This discussion tonight was not meant to be about the best site for a new hospital. That issue will have to be debated by the community. I was asked what I thought the best site would be based on my knowledge, and I gave that idea to the parliament. It is not about the detail; it is about a concept. As the Mayor of Alice Springs said on radio, planning for the future is a good thing and we need to do more of it.

This motion tonight was about planning a new hospital for Alice Springs in 15 years' time. Most of us will not even be here in 15 years' time. Our grandchildren might be born in the Alice Springs Hospital. God forbid, our relatives and friends will become sick and possibly die in the Alice Springs Hospital over the next 15 years. That is the reality.

I thank those who have contributed to this debate; I will not labour it. I think I have sewn a seed in the Alice Springs community. People are talking and thinking about it, and after the election I will ask the next Health minister to sit with me, walk

with me and see what the issues are on the ground. We need a new hospital. Adding on, patching up, fixing up and trying to make do with an ageing hospital will become ridiculously expensive. Why not spend that money on a new building? Tonight I am happy this debate has been conducted and that the people of Alice Springs know this is on the table. Thank you.

Motion not agreed to.

MOTION
Precedence for Medical Services Amendment Bill

Ms PURICK (Goyder): Madam Acting Deputy Speaker, I move that, notwithstanding anything to the contrary in the standing orders, consideration of the Medical Services Amendment Bill 2015 (Serial 150) takes precedence over all other business.

I have not had a child, and will not do so given my age. I have not had an abortion, but I know women who have, including when I was at university.

I did not decide one day to introduce a private member's bill, take on the pro-life people and the well-known churches and Christian groups, and push forward where the two major parties had not. This bill has come about because, for too long, women in the Territory have been left waiting for fairness and equity. For too long, women have been dictated to by people who have had no interest in their personal and mental wellbeing. For too long, women have had decisions made for them by people who will never be pregnant, or never became pregnant through rape, incest or failed contraception.

This bill before parliament is not about me. It is not about any member in this Chamber. It is about the women of the Territory and their rights and role in our community.

As I said previously, this bill is not about abortion, and in some ways it is not even about providing women with alternative options for the termination of pregnancy. This bill, in many ways, is about choice.

When a woman is considering whether to terminate her pregnancy, I am sure there is much soul-searching, anguish, pain, regret and perhaps doubt. No woman takes the decision lightly, and for there to be a suggestion that a woman has an abortion because it is fashionable is as outrageous as it is insulting. Abortion is not fun; it is not easy. An abortion will forever be part of a woman's internal makeup and leave an indelible mark on her soul.

It makes no difference to me whether a woman continues her pregnancy or ends it. It is none of my business or that of anyone in this Chamber. What I care about is that the woman gets to decide, and in making that decision she must have a full and proper range of services available to her. This is not the case at the moment. Women are currently being forced to either make a certain decision or not have the availability to make an informed decision because the legislation does not allow it to occur.

The content of the decision matters only to the woman and her loved ones, but the act of making a decision, the act of exercising moral choice, is something we have a very real interest in defending, and you all should be defending that.

This is about women and the choices being made by other individuals over a key aspect of a woman's life and future. There is a phrase for that. It is not mine; it has been said by others: moral autonomy. Territory women should have moral autonomy, and currently they do not. This bill is about Territory women, and, as an elected member of this parliament, I expect all women to support the bill. If a woman enters this Chamber and does not support this bill, it is no more than treachery and presents a serious disservice to all Territory women. That is a shameful position.

I think most, if not all, women in this Chamber support the bill. I am interested to hear what the Minister for Women's Policy, Bess Price, says about this bill.

About 50% of people in every electorate in the Territory are women. Agreed, not all women support this bill; but I know from the work I have done on the bill, and feedback from other women and men in this Chamber, a vast majority of Territorians and women support this bill regardless of whether they would choose to terminate a pregnancy or not.

Throughout this debate people have focused on a range of matters associated with the bill which are either not credible or simply inaccurate. Some have focused on the evils of the actual medication. That is their view, which is okay for them, even if they are not correct. I seek leave to table a document which says where this medication is approved for use around the world.

Leave granted.

Ms PURICK: I also seek leave to table the document *RU486 Mifepristone – A factual guide to the issues in the Australian Debate*.

Leave granted.

Ms PURICK: Both documents are good and go a long way to show the widespread use of the medication. As I mentioned when the bill was introduced, this medication is listed on the World Health Organization's list of essential medicines, which would not occur if there was any doubt as to its safety and efficiency.

Some people have focused on the health of women and how they will all supposedly die a horrible death. Some have attempted to muddle the matter with unrelated matters, such as Aboriginal health workers and their role in administering the medication, which will not happen as they are not medical practitioners.

Some have genuine concerns and objections on religious grounds, and right to life reasons. I respect these people as their views should be respected. It is an emotive and sensitive matter, and should not be underestimated.

Some have suggested that a black market of the medication will evolve; that is not correct. RU486 is subject to strict licencing requirements under the Therapeutic Goods Administration. One of those requirements is that only certain doctors can prescribe RU486. Not all general practitioners – certainly not Aboriginal health practitioners of any qualification – or remote area nurses will be able to prescribe the medication.

Only suitably qualified medical practitioners can legally prescribe the medication.

I seek leave to table a paper by Dr Jacqueline Murdoch – who is one of those suitably qualified medical practitioners in Darwin – which details the medical requirements in regard to treatment and dispensing of the medication.

Leave granted.

Ms PURICK: Some think the proposed one doctor is a bad idea and that there must be two. No other medical interventions require two doctors – not heart surgery, cancer treatment, chopping off limbs, transplants or cosmetic surgery – so why must there be two doctors for a woman to secure a termination of pregnancy? There are no laws setting out what doctors can do and where they do it. The law is silent on when a premature baby can go home, where a person can receive dialysis and whether you should fly in an aeroplane after certain operations. Doctors make assessments and judgments calls based on strict clinical guidelines, not the law books.

Doctors across the Territory make medical judgment calls every day that they work. Doctors in remote WA and Queensland – where the Territory has been compared with – make medical

calls every day in remote and Aboriginal communities for the termination of pregnancies.

The Territory is not special. We are just behind the rest of the country, and that needs to change. Territory women deserve the same rights as every other Australian woman.

Madam Acting Deputy Speaker and honourable members, I ask that you support this motion so we can have this bill debated in full tonight, one way or the other, so Territory women have a clear understanding and knowledge of where their elected representatives stand on this very important issue for Territory women.

Ms FYLES (Nightcliff): Madam Acting Deputy Speaker, we are here tonight because this issue has dragged on for far too long. As I understand, in December last year this issue was first introduced to this parliament.

Yes, it is an emotive and extremely sensitive issue. But tonight, here and now, the first motion we are debating is that, notwithstanding anything contrary in the standing orders, consideration of the Medical Services Amendment Bill 2015 (Serial 150) has precedence over all other business. This is a significant motion for this House to face in voting on RU486. We need to vote tonight. As I mentioned, it first came before this House in December 2015.

I will keep my comments in this motion very short. I have already spoken on the bill before the House, but I am now speaking as the opposition Whip on this precedence motion. Look how many people are in the gallery tonight and how many people have come to the gallery every time this issue has come up over the past six months. Many more people are listening in. You only have to be out in your community and looking on social media to know this is an issue the people of the Northern Territory want us to get on with and resolve. This motion before us now is not about whether we agree or disagree. We should resolve this issue tonight.

On behalf of the opposition, it is a conscience vote on both the precedence motion and the bill for RU486. The opposition members will vote with their conscience on whether they support the motion of precedence for the Medical Services Amendment Bill tonight.

Mrs LAMBLEY (Araluen): Madam Acting Deputy Speaker, I have always supported the right for women to choose whether or not they terminate a pregnancy. I have always supported women having the choice. This bill is providing ...

Madam ACTING DEPUTY SPEAKER: Member for Araluen, this is the precedence motion, not the

substantive RU486 motion. This is a motion about whether this matter is exhausted ahead of all other business. I want to ensure members are aware that we are debating a precedence motion, not the substantive bill, and its various amendments led by different members. You will refer to the substantive bill within your contributions, but it is about precedence.

Mrs LAMBLEY: That being the case, I support concluding this debate tonight and I support the motion put by the member for Goyder.

Ms ANDERSON (Namatjira): Madam Acting Deputy Speaker, I support what the member for Goyder has put forward. It is about the choice and the rights of women. We have allowed this matter to go on and on. Like the member for Nightcliff said, we have had people standing outside this parliament. For the very first time the Chamber is chock-a-block full. We do not even have this many people in for Question Time.

We need to move on with this discussion. It is about Territory women's rights, Indigenous or non-Indigenous. We need to modernise ourselves as a territory. Every other state and jurisdiction has left us behind as women. It is about modernising the Northern Territory. It has nothing to do with being culturally appropriate or anything like that. It is about individual women's choices. I support it.

Mr ELFERINK (Attorney-General and Justice): Madam Acting Deputy Speaker, I rise to speak against this motion. Before I do, I will make this clear: I support the use of RU486 and have attempted to do so since becoming the Health minister of the Northern Territory. I took it to my Cabinet colleagues and the position of the government remained unchanged. I would be pleased to push through with this debate but for a couple of issues that continue to cause me concern. This is about making sure that proper law is passed in the Northern Territory.

I would hate to see a circumstance where, in our enthusiasm to pursue a goal, we abandon our primary function to make sure we pass good law as intended, rather than what is written in the bill. It would be a folly of the greatest proportion if we were to pass a law hoping to achieve one thing and inadvertently causing another thing to occur. That is something I have to council members of this House on. It may not necessarily be a popular notion, but it is a necessary and cautious notion.

The very medical practitioners who seek to use the proposed changes are, by their very nature, cautious people. I am sure they understand caution when they see it in other areas of the community. This is not me speaking as the Health minister of the Northern Territory; I am simply a

member of parliament in this debate because we have a conscience vote before us.

One of the things I determined upon becoming the Health minister was that there was a former practice of shutting down clinics. That was because of a decision by the Health department, and possibly the former Health minister, to interpret the federal legislation as to what a hospital was and how it affected the operation of a termination clinic operating here in Darwin. When I became aware of it I rescinded the instruction because there was sufficient lack of clarity for me to comfortably say that clinics should be able to operate here in the Northern Territory.

The consequence is that there is now an application in the system. This is where I point out the issue of good law. The effect of the bill before the House is that the proposed amendment only partly achieves what it is aiming for because the amendment remains restrictive by requiring under section 11(1)(c), that all surgical terminations take place in a hospital. If that bill was allowed to pass in its current form, surgical terminations could only occur in a hospital and not in a clinic, which is what I said can currently happen. The issue is that there is an unintended consequence of the bill.

The other problem that has been pointed out is that the *Medical Services Act* is ill-equipped to deal with the issue of abortion more generally. The *Medical Services Act* was used as a vehicle by the former Labor Chief Minister, Clare Martin, when the determination was made to take the medical component of abortion out of the *Criminal Code Act* and park it somewhere else. The consequence was that medical terminations were parked in the *Medical Services Act*. Read the act in its entirety. It is largely aimed at the administration of hospitals and health clinics in the Northern Territory. The problem at the time was that the former Labor government did not take it the whole way. It did not regard the management of abortion in the same fashion required for it to be brought into the modern context.

There is already one identifiable problem with the amendment before the House today. I am further concerned that perhaps there are things we have not seen or anticipated. When a legislative instrument is brought into the House by a government minister it has generally gone through experts in whatever department necessary. If the bill pertains to the laws of the Northern Territory, many lawyers in the Attorney-General's department will look at it. If the bill pertains to health issues, there are many health practitioners in the department to look at it and make all types of assessments in relation to the operation of the legislation.

For that reason, we know that when a government bill comes into the House it has been very carefully scrutinised by experts in the field so that when a policy decision made by a minister who is not an expert in the field – I am not a doctor – advice is given to the minister in relation to their policy position, and appropriate people make certain that has been reviewed.

When a private member's bill comes into this House it means the expert reviews of the legislation can only be *post factum*. It is my concern that we can pass a bill which I would like to see operate in the Territory. I believe, for all the reasons I have outlined in the past, that it needs to be more restrictive in this jurisdiction than other jurisdictions.

Ms Purick: Rubbish. It is not any different to Queensland or Western Australia. As I said, we are not special.

Mr ELFERINK: I remind the member for Goyder that I listened to her in silence and I ask that the same courtesy be extended.

I realise that the position I am taking might be unpopular, but proper management of law is what we should do. If a private member's bill is introduced into this House, I suggest a mechanism apart from the expert processes normally provided by departments. Something the member for Nelson often talks about is the committee system which can look at proposed bills.

This bill has not been before a committee.

Ms Purick: It does not need to.

Mr ELFERINK: I pick up on the interjection that it does not need to. It needs some form of review. If I, as a minister of the Crown, walked in here and said a bill does not need to go through a department or some sort of review process before it comes in here, I would be laughed out of this House.

Madam ACTING DEPUTY SPEAKER: I know that this is an often frustrating process of law; however, it is my responsibility as the Acting Deputy Speaker to keep order in the House. At times, in debate, people hear things they do not personally agree with. I request that we listen respectfully in keeping with order of the House.

Mr ELFERINK: I am aware that this may not be a popular decision, but I am executing nothing but caution. Let us be careful about the laws we pass. The call across the House that it does not need to be reviewed is something I cannot countenance in good conscience as a law maker

in this jurisdiction, and I am unafraid to stand up and say so.

It is important for us to pass laws that do not have unintended consequences. We have not taken the steps necessary to face the reality that there may be unintended consequences. Is it really, after all this time, unnecessary to wait but a few more months, when a future Health minister can bring this in through the appropriate processes? It is not inappropriate to be cautious as a lawmaker in this jurisdiction.

I am proud to be a careful lawmaker in this jurisdiction because since coming to government four years ago I have managed more than half the legislation that has travelled through this House. I am pleased to report that I have been careful every step of the way because I am aware that it affects people's lives negatively and positively ...

[Interjections from the gallery.]

Madam ACTING DEPUTY SPEAKER: Visitors in the gallery, order! Thank you.

[Interjections from the gallery.]

Madam ACTING DEPUTY SPEAKER: Visitors in the gallery, I will call order once more and will then send security, thank you.

Mr ELFERINK: I have sought advice from many medical people in the department, and asked them for their guidance and thoughts. Many people have indicated to me their support for the principle, and some even went so far as to say, 'This is what we should do'. Other people in the medical system are saying, 'Be careful because of ...' and they give me various reasons.

The question before the House right now is not a question of RU486. The question is whether we debate this and push it through the House whilst there are still issues outstanding. I have offered advice to the member for Goyder ...

Ms Purick: Which I took up with your department.

Mr ELFERINK: Precisely. It was acknowledged in the second reading speech. However, there are people in the department who I respect, who have continued to express some concerns. Frankly, the unintended consequence of not allowing surgical terminations in clinics is one of the unintended consequences of the bill before the House.

I cannot support rushed legislation. I cannot support legislation that has not been through a rigorous process of checks and balances. Until

such time as care is taken, I cannot support this motion.

Mr Vowles interjecting.

Mr ELFERINK: Whilst I understand that the member for Johnston and other people do not like the message, I will never ...

Mr Vowles interjecting.

Mr ELFERINK: I pick up on the interjection from the member for Johnston, 'It is about democracy'. The democratic process demands that those who are elected do their job properly and carefully, and with prudence, due care and respect for the people of the Northern Territory.

I am not operating with a lack of respect. I am counselling that we respect caution. This motion asks us to rush a bill that has not properly been vetted by processes. If this debate continues tonight, I will explain why certain medical officers have counselled caution in relation to this legislation.

I am not against the principle, but I am against the notion of careless legislating.

Mr WOOD (Nelson): Madam Acting Deputy Speaker, as you said, the motion is about whether we allow precedence over other business. The member for Goyder has put forward her point of view and the member for Port Darwin raised some important matters. I will try to put into context why I do not support this bill being passed.

People know my view on abortion, so I will not go back over that. My job, as a member of this parliament, is to look at the law being put forward tonight to see whether it is good law. This bill is not the same as when it first came to this parliament. It has received major amendments since December last year, which have not been discussed or debated. It is not just about whether RU486 can be used. There are major changes to this act that were not in the original amendments.

I agree with the member for Port Darwin. One of the problems with introducing legislation in a private member's bill – I was around long enough in a position which held the balance of power, so I know what it can be like. When you introduce legislation by yourself you do not have the support of the legal people in the department, or any other department, who could look at whether your legislation clashes with other legislation. A range of things are required to come into place.

You were in government for a long time, Madam Acting Deputy Speaker. You would know that before legislation came into this House it was tested thoroughly because there was always the

danger that if there was a mistake, you would look foolish and the legislation could be defeated. A lot of work is done before legislation comes before this parliament. It is more difficult for a private member to do that with all the testing that is required.

I will give you an indication of the changes that have occurred. It has taken me a while because there are amendments from the member for Port Darwin, the original amendments put by the member for Goyder and the new amendments. I do not know if everybody here tonight knows about the changes. They might support them, which is their right, but they are different to the original.

When the first amendments came through, it took me some time to get my head around the changes because I had to cross out things and add things. The original amendments were about changes to medical treatment, that is, surgical treatment provided in a hospital, and that medical treatment requiring the dispensing of a drug is conducted by a suitably-qualified medical practitioner or pharmacist. There were some other changes, but they were relatively small. Since then, the original amendment has been scrapped.

For a normal abortion, a suction abortion, as it is sometimes called, you need two medical practitioners who formed the opinion in good faith that the pregnancy can be terminated. I do not know if people are aware that the new changes, which were not in the original amendment, changed all that. The original amendment from the member for Goyder did not. That should be debated.

I think this process needs to be gone through slowly. My honest opinion is that it should go to a committee as it would in Queensland, where bills go to a committee then come back to parliament. That committee would have the chance to go around the Territory and discuss it with people. This area of the Territory is not the only part that needs to look at this issue. In Queensland the bill comes back to parliament with amendments. They could suggest the bill be scrapped or stay as it is, and then it is voted on.

The alternative is to take it to an independent inquiry. I do not know everything, but I know this drug is normally administered between seven and nine weeks. This legislation basically says you can have it up to 14 weeks, which was not in the original amendment. You can now have it at a later date, up to 23 weeks, which was also not in the original amendment. They are important changes that need to be looked at carefully. There are issues with it.

There are two new major changes. One is a clause that does not allow anyone to stand within 150 m of an abortion clinic or a hospital where there is day surgery, so they cannot intimidate people. I will not discuss that now, but these are the amendments.

The other serious amendment basically states that a doctor must, regardless of their conscience, send the person who wants the abortion to another doctor who will allow that abortion. He does not have ...

Ms WALKER: A point of order, Madam Acting Deputy Speaker! Standing Order 35: relevance. Forgive me, member for Nelson, but the motion before the House is about precedence. Will the House go to a vote to support, or otherwise, precedence? The House has been tolerant, but two members who have already spoken in the second reading debate are effectively continuing on that path and not talking about precedence.

I am looking at the clock on this, the last General Business Day before an election and the last opportunity for this bill to be debated in full in the House. We need to move forward. I am happy to stay until 3 am or 5 am, but we are losing time.

Madam ACTING DEPUTY SPEAKER: Before I rule on the point of order I will hear from the member for Port Darwin.

Mr ELFERINK: Madam Acting Deputy Speaker, the argument the member for Nelson is trying to construct is why precedence should not be given. He should be allowed the latitude to do so.

Madam ACTING DEPUTY SPEAKER: Member for Nelson, whilst I say there is no point of order, I ask you to be cognisant of the precedence debate.

Mr WOOD: Madam Acting Deputy Speaker, you will remember the member for Goyder raised a range of issues ...

Madam ACTING DEPUTY SPEAKER: Member for Nelson, I said there is no point of order.

Mr WOOD: It is important. I need people to know that I am not saying this legislation should not be looked at. We need to look at this carefully, as the member for Port Darwin said. There have been major changes and I am happy to debate them, but some of these changes are medical, and I am not an expert.

I also have documents, which I will raise in the debate, which show that there are issues in relation to the Northern Territory. Those issues need to be looked at carefully. That is coming

from the chief surgeon, who has worked at the Darwin hospital for 12 years.

There are people who do not believe this drug with prostaglandin is safe. That is one of the problems. I received information from three qualified people who are pro-abortionist, who say this drug is not safe and should not be used by women. People can go crook, but I would say read this book. If you have something against the authors of this book for what they have written, I am happy for people to put their case.

If people want to rubbish that opinion it is fine, but at least come back with medical reasons as to why people have written these articles about the safety and use of the drug. It is not just that; they say there are other reasons they support a normal abortion over a drug. They are concerned about the health of women. That is not me; I did not write this book.

Madam ACTING DEPUTY SPEAKER: Member for Nelson, precedence.

Mr WOOD: This bill should not be rushed because there are major concerns about the new legislation that was introduced in the last sittings. People keep complaining that I am a male, non-expert politician, but I find people in this field who know a lot more than me, and I respect that.

There is also the issue of whether this drug is safe. Abortion is already available. This debate does not remove a person's right to have an abortion; it says we want to introduce a new drug to allow people to have either a surgical or suction abortion or a medical abortion. We need to make sure we do not bring forward legislation that has not been thoroughly tested – not by me, by the experts in this field – to be sure it does not have unintended consequences, which this parliament will regret when things are not done as they should be.

If this came from the government we would expect it to be supported by all the departments. As it is, this is a private member's bill and I am concerned that we have not given it enough time. That is why an independent inquiry should look at it and come back to this parliament.

Ms MOSS (Casuarina): Madam Acting Deputy Speaker, I support the motion in the House this evening to continue the debate introduced in December. You cannot describe that as being rushed. I was not intending to speak on this motion, but I just listened to two members of parliament who have had the opportunity to put their concerns and contribute to this debate.

I support the reforms to the *Medical Services Act*, but I have not had an opportunity to contribute to

the debate yet. People need the opportunity to discuss the issues; that is what the debate is for. We have all looked at what has been presented by the Minister for Health and the member for Goyder. We have had the opportunity to talk to a range of stakeholders. I want the opportunity to speak, as I am sure other members of parliament would. I support the motion before the House.

Mr BARRETT (Sport and Recreation): Madam Acting Deputy Speaker, for those people who were not here all day, earlier today we introduced eight pieces of legislation. It is nice to hear everybody over there saying how horrible things are in this case, but everybody on that side of the floor spent all morning arguing so certain other bills would not be brought on. Let us talk about those other bills, shall we? Then we can look at precedence, which is what this is about.

Ms FYLES: A point of order, Madam Acting Deputy Speaker! Standing Order 35: relevance. The member's comments are completely irrelevant. He is talking about ramming through legislation in under a month. This bill has been before us for over six months. Let us get on and vote on it tonight.

Madam ACTING DEPUTY SPEAKER: Member for Blain, whilst ...

Mr Barrett: That is not a point of order. We are talking about ...

Madam ACTING DEPUTY SPEAKER: If you want to be put on a warning, continue to challenge me.

Whilst there is no point of order, I remind you that we are debating precedence. From time to time latitude is given, but we are debating precedence so please keep it relevant to that.

Mr BARRETT: Keeping to the point of precedence and the consideration of the Medical Services Amendment Bill coming before all other business, and given that today we had eight pieces of legislation placed before us which, for some reason, everyone on the other side of the floor decided were not important enough to talk about, I want to look at what we are now being asked to weigh up in the balance of precedence.

The first one we looked at was a stamp duty amendment. That will affect first home owners in the entire Northern Territory.

Ms PURICK: A point of order, Madam Acting Deputy Speaker! Standing Order 110; the member for Blain is going into legislation that has nothing to do with this motion. This motion is about precedence. It is not about listing the eight pieces of legislation the government wanted to

rush through and failed to have standing orders suspended over because it did not have the numbers in the parliament.

This is about precedence to debate this motion in full. It is not about stamp duty, the Bail Amendment Bill or police administration. It is about giving this bill precedence to be debated in full tonight. He is digressing.

Mr ELFERINK: A point of order, Madam Acting Deputy Speaker! Standing Order 110 deals with questions. It has nothing to do with anything else.

Madam ACTING DEPUTY SPEAKER: Member for Blain, you are digressing from the subject. I warn you that tedious repetition will ultimately lead to the opportunity of telling you that you are digressing continually. I sought advice and you are digressing. I ask you to continue with the debate on precedence.

Mr BARRETT: Whilst I listen to my part of the debate being shut down, what was said earlier today in parliament, which clearly is not important to anybody on the other side of the Chamber – suddenly this is so amazingly important ...

Madam ACTING DEPUTY SPEAKER: Member for Blain, I believe you are not directly reflecting on the Chair with what you just said, but, more broadly, on the Chamber. I am taking a very liberal interpretation of what you said. I point out Standing Order 38 to you and I formally warn you. If you continue, you will not continue to participate in the debate, under Standing Order 38. It is up to you to either continue in the precedence debate without digressing or to go on the same vein.

Mr BARRETT: I seek clarification on precisely what I am allowed to talk about. Precedence was not set earlier today when everyone was talking about other things.

Madam ACTING DEPUTY SPEAKER: So that you understand what I am referring to – I note that you have not brought your standing orders book with you – Standing Order 38 relates to irrelevance or tedious repetition, and says:

If the Speaker has called a Member's attention to engaging in irrelevance or tedious repetition and they persist, the Speaker may direct the Member to cease speaking. The same Member may then request the Speaker put the question that they be further heard. That question will then be put to the Assembly immediately without amendment or debate.

I have now drawn your attention to Standing Order 38. You may continue to discuss

precedence, but not be irrelevant or tediously repetitious.

Mr BARRETT: Wow. Thank you, Madam Acting Deputy Speaker. In consideration of the Medical Services Amendment Bill having precedence over all other business, I suggest we do not allow this bill to have precedence over all other business of the House. I do not think the gravity of this piece of legislation owns the ability to have all other ...

Mr Wood: It does not say that.

Ms Fyles: We just want to vote tonight; that is all.

Madam ACTING DEPUTY SPEAKER: Let the member for Blain speak, please.

Mr BARRETT: Given we are talking about all other business, my understanding was that it would take precedence over everything that happens in the House, even after GBD. I do not think we should allow any bill to have precedence over everything else in the House, especially in light of some things we have seen previously.

Other members have said some pretty solid things around issues with this bill. There are major issues with this bill. I have major fundamental issues with the way this bill and its amendments have been brought to the House, and the way this bill will affect the community. Indigenous people were not consulted on this bill. This bill has been ignorant ...

Ms FYLES: A point of order, Madam Speaker! Relevance; we are debating precedence and not the content of the bill. You have drawn the member's attention to it once. Can you please ask him to speak to the motion before the House? We are not debating RU486; we are simply debating precedence. He is discussing the content of the bill.

Madam ACTING DEPUTY SPEAKER: Member for Blain, whilst at this stage I will not allow the point of order, I remind you the focus is on precedence. You are constructing your argument.

Mr BARRETT: As I was saying, I do not want this bill to have precedence over all other business because I have issues with the way it has been introduced, some of the things in it and the unintended consequences of it. I have issues with the way it has been drafted and the way the drafting affects people in our community who have not been consulted. I have issues with the way the information in this bill has flown in the face of people who are highly ranked in the medical profession.

Something of this nature should be sent to a committee. I do not believe it should have

precedence, and if the House will not give me the leeway to compare this legislation to eight other pieces of legislation that were not addressed today then I draw attention to what I see as hypocrisy – people in this House knocking back a range of other things to put their own purposes across at the expense of everybody in the Northern Territory. Under the same presumption you are asking us to allow that this bill has precedence over all other business.

Madam Acting Deputy Speaker, I will not support this motion because I do not think this bill should have precedence over all other business.

Mr STYLES (Deputy Chief Minister): Madam Acting Deputy Speaker, I support the use of RU486 as a concept. I am pro-choice; in this case I believe it is absolutely a woman's right to decide what happens to her body, and the decision she makes should be made in conjunction with some very good advice.

My understanding is that most of the people on this side of the Chamber support that.

Members interjecting.

Mr STYLES: It is interesting that the moment you stand up they do not want to hear what you have to say; they continually interject. I have sat here, listened and given people the respect they deserve in this Chamber. I ask the member for Nightcliff to simply give us some of the respect we give her. She continually interjects and tries to take over the conversation with interjections. It is a matter of respect. I respect the people in this Chamber and I am happy to listen to what they have to say. You might want to listen, be informed and hear my views.

I am very happy to listen to the member for Nightcliff's views. I am pro-choice. It is no secret in the Northern Territory ...

Ms Walker: What are your views on precedence? That is the matter before the House. Are you supporting precedence or not? We are running out of time.

Mr STYLES: I simply ask for a little respect, member for Nhulunbuy. If you let me carry on, without interjecting, then I will get to the point.

I am a pro-choice person; I am a great supporter of voluntary euthanasia. I am probably the only person in this Chamber who has sat in front of a TV camera and given my views so they are on the public record.

The member for Goyder introduced this piece of legislation. The member for Port Darwin discussed some of the issues with the bill with the

member for Goyder. She went away and made some minor changes, and that is it in relation to taking advice from the member for Port Darwin, the Attorney-General.

I have been trying to reread all of this to get my head around it in anticipation of the debate tonight. We have a raft of amendments. I agree with the member for Nelson; we have a different set of amendments here.

The member for Port Darwin, the Attorney-General, has offered to give this to experts, lawyers and the department, and anyone who would like to make a comment on it. My understanding is the member for Goyder has not taken up that opportunity.

I have a pile of information here, as does the member for Nelson, and there are holes in it. There are contradictions and clashes with other legislation ...

Ms Purick: Rubbish! It does not.

Mr STYLES: The member for Goyder says 'rubbish' because she has not availed herself of information from the department and the experts.

Ms Purick: I have received a briefing from the department.

Mr STYLES: Neutral advice about some of the things ...

Ms FYLES: A point of order, Madam Acting Deputy Speaker! Standing Order 35: relevance. Again, I remind the Deputy Chief Minister we are debating precedence, not the content of the bill before the House. Can we get on with that debate and vote, please?

Madam ACTING DEPUTY SPEAKER: Member for Sanderson, I was listening very intently, of course, because points of order have been called on some members. Please stick to the precedence argument rather than the substantive issues around the bill and its amendments.

Mr STYLES: I am referring to precedence. A member introduced a bill with holes in it all over the place, and they want to debate it tonight. I cannot support it because there are substantial differences and there are holes all through it. The ramifications of some of the further amendments from the member for Goyder have huge ...

Ms FYLES: A point of order, Madam Acting Deputy Speaker! Again, Standing Order 35: relevance. We are talking about precedence. When we get to the debate on the bill we can go to the consideration in detail stage – we have experts here – and we can then debate the finer

points. We just want to get to that point. All we are asking is that you stick to relevance in this debate.

Madam ACTING DEPUTY SPEAKER: Member for Sanderson, I have pointed out that I believe you are going to the substantive debate. Please debate precedence matters.

Mr STYLES: The precedence is really about whether or not we have all had the opportunity – the member for Goyder wants to take this through to conclusion. That is the precedence motion she has put. What if we want medical termination? Is the member for Goyder prepared to be here for days on end? There are things I want to know about this. I do not think the member for Goyder has taken the opportunity – will we call expert evidence? Is that what you are suggesting? You say there are experts here. If we want to, are we permitted to call the experts in and discuss – the member for Goyder has not done some of the basic things required when bringing a bill ...

Ms Purick: Rubbish! You are full of it!

Mrs FINOCCHIARO: A point of order, Madam Speaker! Standing Order 20: interruption of debate. My colleague is trying to make his contribution to the precedence debate and is being continually interrupted.

Mr STYLES: I seek your advice in relation to the request. We have been told that we have experts here to debate this. What I have reread today raises the question of whether we will be able to do that. We are being asked to give precedence to this ...

Ms FYLES: A point of order, Madam Acting Deputy Speaker! Standing Order 35: relevance. In this motion not one word about experts is mentioned. We are simply debating the precedence for this bill. That is all we are debating right now.

Madam ACTING DEPUTY SPEAKER: Member for Sanderson, I draw your attention to Standing Order 38. The point you are making in this last session is repetitive. I also point out that you are asking rhetorical questions of the Speaker, which is out of order. I ask you to be aware that I have drawn your attention to this. To continue with the debate on precedence, please avoid repetition.

Ms PURICK: A point of order, Madam Acting Deputy Speaker! Pursuant to Standing Order 44, I move that the question now be put.

The Assembly divided.

Ayes 11

Ms Anderson
Mrs Finocchiaro
Ms Fyles
Mr Gunner
Mrs Lambley
Ms Lawrie
Ms Manison
Ms Moss
Ms Purick
Mr Vowles
Ms Walker

Noes 13

Mr Barrett
Mr Chandler
Mr Conlan
Mr Elferink
Mr Giles
Mr Kurrupuwu
Ms Lee
Mr McCarthy
Mrs Price
Mr Styles
Mr Tollner
Mr Westra van Holthe
Mr Wood

Motion not agreed to.

Mr STYLES (Deputy Chief Minister): Madam Acting Deputy Speaker, this is bad law. I do not support the precedence motion because when we come into the House it is up to all of us who introduce legislation to make sure as much information as possible is available. You put things through a rigorous test and, as a legislator, you make the phone calls and support people. Not much of that has been done.

I cannot support this. It clashes with many things and the work has not been done. To debate this tonight without further work being undertaken puts us in jeopardy of being looked at as a parliament that passes bad law.

I support the intent of the member for Goyder's bill, but when you look at what has not happened ...

Madam ACTING DEPUTY SPEAKER: Member for Sanderson, please resume your seat.

I ask visitors in the public galleries – and I will warn you – to show respect and sit forward or leave the Chamber. That is your first and only warning from me, undertaking my respectful role as the Acting Deputy Speaker. That is your first and last warning.

Mr STYLES: I will try to get a few sentences out before I am interrupted. I reiterate that I support what the member for Goyder is doing. However, I do not think she has done enough work to ask for precedence.

She has not taken the opportunity to put this past some of the experts to inform herself. She continues to say to me, 'That is rubbish', and that I do not know what I am talking about. When I consult, I get a lot of advice and talk to people.

She said she has consulted with people. Well, she has not consulted with many people on this side.

The Attorney-General, the number one law officer in the Northern Territory, has offered to help the member for Goyder with the things I am talking about and take it through the right process.

Madam Acting Deputy Speaker, as has been referred to in this debate tonight, you have done this sort of thing. You were the Attorney-General at one stage so I assume you understand some of the things I am talking about regarding what should happen in this debate.

I cannot support the precedence motion. If the member for Goyder does some more work I am happy to support it, but I think it needs a lot more work.

Mr CHANDLER (Brennan): Madam Acting Deputy Speaker, I will not support this motion – not the bill, but the motion. If the member for Goyder is serious about passing RU486 in the Northern Territory by pushing through with this motion tonight, I think she risks losing the debate.

I do not think she has the numbers in this parliament. There is a chance the numbers will fall her way, eventually, if this is done the right way. If this is pushed through, I do not think there is a chance that this legislation will pass in the Northern Territory.

Ms MANISON (Wanguri): Madam Acting Deputy Speaker, I support the motion put forward by the member for Goyder. It is very important that we go forward and settle this very long-standing issue about access to medical termination in the Northern Territory.

It is important that we have the opportunity to complete this debate. It has been before this parliament, on the parliamentary Notice Paper, for a considerable amount of time so members could have availed themselves of briefings and opportunities to get information. It is important for us to resolve this matter of debate tonight. It should be done.

I am also very curious about the views of other members of this parliament, and it is important for us to hear them. I want to hear the Minister for Women's Policy's views on this and whether we should continue to engage in this important debate about women's access to medical termination in the Northern Territory. It is very important that we have those views as part of this debate.

Ms PURICK (Goyder): Madam Acting Deputy Speaker, I thank all members for their contributions. Whether I agree with their contribution or not, it is important that members, on behalf of their constituencies, speak to not only

this motion but to the bill, if it comes to debate this evening.

I pick up on the comments from the members for Araluen, Namatjira and Nightcliff, who support the motion. They appreciate the seriousness of what we are trying to achieve for Territory women.

It is interesting that the Minister for Women's Policy has not made any comment or contribution to this debate. That is disappointing, but probably par for the course. I heard a comment that I had not consulted with her people. What does that mean? Why would someone only have their people? I thought we were all people. I have consulted far and wide with AMSANT, Aboriginal groups and individual Aboriginal people. The member for Namatjira has spoken to people on my behalf to gather information. Trying to make this into some kind of racial divide is arrant nonsense. It is about Territory women and what is fair and right. It is about choice.

The Attorney-General made some comments which I did not think were interesting; there were too many words and there was too little substance. He is happy to lock up women who are pregnant and continue to drink because of foetal alcohol spectrum – at least he was when we conducted the select committee – but he is not happy to help women who get pregnant through rape, incest or conception that does not work. He is not prepared to get this debate to come out in full to help those women.

Mr Elferink: I was trying to offer you support; you would not take it.

Ms PURICK: As I said before, and I will say it to you, member for Port Darwin, I have consulted with many groups and individuals. I have a list: the Catholic bishop; Anglican ministers; Baptist church people; AMSANT; other Aboriginal groups; the AMA with Suzanne Belton; Family Planning; the Top End legal network; and individual lawyers. There are probably many more people I could talk to. I am happy to keep talking with different groups. They have each had different views. Most of them are supportive, but like most sensible people they want to see the detail.

I think reference to a committee for review, when you do not want or support this – many times when the member for Nelson has wanted to send things to committee, you have laughed in his face. Yet suddenly you want this amendment bill to go to a committee. You talk about laws with unintended consequences. I accept that. None of us want to pass a law that has unintended consequences, yet only today you moved a motion of urgency to push through eight pieces of legislation on the last half day of sittings in June.

You cannot have your cake and eat it too, member for Port Darwin.

Mr Elferink interjecting.

Ms PURICK: What about the unintended consequences of the Bail Act, or no body, no parole? I know you are a strategic fellow; you are not very good at it, I might add. You wanted to rush those through, yet you do not want this to have precedence. You cannot have your cake and eat it too.

I know the member for Nelson's position. He has been clear, honest and up front with me. I respect that. We agree to disagree.

Member for Blain, I have no idea what you were talking about. You claimed that I had not consulted. That is arrant rubbish. You are doing what you are told to do, which is very sad.

Member for Sanderson, I respect your views. I know you are supportive of this legislation. I know some of your life history. You are a sensible fellow and very supportive of women's rights and issues. But this motion is about precedence. You said there was a raft of amendments. That is not correct; there are four. Four is not a raft.

Exclusions are on the number of doctors, changing section 11. Experts have looked at that amendment. What is your definition of an expert? Are you saying that obstetricians and gynaecologists are not experts? I have spoken to two of those people at the Palmerston health centre. There was a family planning doctor here tonight who helped me with this. I consider them to be medical experts.

I have spoken to legal people who have gone through the legislation, so to claim that I have not consulted with experts is not correct. If and when the bill gets to full debate, which it will not – I am realistic and I know this is political. I know what you are doing and why you are doing it, as do the punters in punter land. They are all wised up to your tricks. Four people will sit in the advisers' boxes helping me: medical; legal; social; and family planning. They are experts in their fields. Any questions you have that I cannot answer, they will help with the answers.

Mr Elferink: Why did you not arrange meetings with the people whose support you needed – us?

Ms PURICK: Minister Chandler and Nicole Manison, member for Wanguri, thank you for your comments. I know they were short and sweet. That is fine; that is the way it is. Everyone does things differently but thank you for your contributions. I commend the motion to members and ask that it be agreed to.

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

The Assembly divided.

Ayes 12	Noes 13
Ms Anderson	Mr Barrett
Mrs Finocchiaro	Mr Chandler
Ms Fyles	Mr Conlan
Mr Gunner	Mr Elferink
Mr Higgins	Mr Giles
Mrs Lambley	Mr Kurrupuwu
Ms Lawrie	Ms Lee
Ms Manison	Mr McCarthy
Ms Moss	Mrs Price
Ms Purick	Mr Styles
Mr Vowles	Mr Tollner
Ms Walker	Mr Westra van Holthe
	Mr Wood

Motion not agreed to.

MOTION Trial of Transport Service

Mr WOOD (Nelson): Mr Deputy Speaker, I move that the government begin a two-year trial of a regular weekly public bus service between Palmerston, the INPEX village, the Darwin Correctional Centre and the Howard Springs Nature Park to enable workers, families of prisoners and residents to commute to those destinations.

The Minister for Correctional Services, Mr Elferink, said people were in prison because they were repaying their debt to society. He also said:

If a person wants to spend time with their family and they value their family time so much, don't commit the crimes that see you go into a jail in the first place.

When I heard that statement I could not believe it. I thought our Attorney-General had been reading Exodus in the *Bible* and using it to support his argument – the sins of the Father, etcetera.

Obviously he believes that the family of the prisoner should also be punished for the crimes of their father or other member of the family. They should not be, but by making it difficult for families to travel to the prison you are punishing the family. Either they cannot travel there because they do not have the money – I think that the price quoted in the paper was \$70 – or they have to use money that they may not be able to afford.

Prisoners have families, husbands or wives, children, parents and friends. The prisoner needs to know someone will be there when they are released. Children need to know their parents.

Having that connection may help a prisoner know that there is still someone who cares, especially when he or she is released.

If the minister thinks visitors should not be assisted in travelling to the prison, why not close down the visitor areas and not allow visitors at all.

Are you saying that if you want to have visitors, do not commit the crime? I do not know where this type of thinking came from, but it is not what I expect from the Attorney-General. There have been plenty of papers written on the importance of families staying in contact with someone in prison.

I will read from an article by Dr James Woodall, Senior Lecturer in the School of Health and Wellbeing at Leeds Beckett University, called *Ten reasons why keeping prisoners in touch with their families is so important*:

The role of the family cannot be underestimated ...

Especially in relation to Aboriginal families, which are generally broader than non-Aboriginal families. There are lots of cousins, aunties and nannas. It is very important. He goes on:

... for most people the family offers a feeling of belonging and provides support, both in practical and emotional ways. More often than not, they are there to offer guidance and provide a listening ear when needed. What happens though when those family connections are disrupted and fragmented when someone goes to prison?

This came from a blog:

This blog discusses this and highlights how the preservation of family connections offers great benefits for prisoners, families and wider society. It's an area I have a huge interest in due to being involved in research in this area for a decade.

I've never served a custodial sentence or have visited anyone in prison on a social level, but I know from doing research in prisons that receiving visits from family members is massively important for those inside. In short, they keep people going and provide much-needed punctuation to the humdrum of institutional life. Perversely, visits with family members are used as a 'carrot and stick' for prisoners – behave and comply with the rules and visits will be fairly regular; cause disruption and problems and visits are taken away.

I am not necessarily saying that applies to our prison, but he is dealing with his research:

For families, the financial and emotional ordeal of visiting can be immense and so often prisons are poorly linked in with public transport services creating mammoth journey times for a relatively short visit period.

The visit itself is pretty much as you would imagine. Fixed tables and chairs and physical contact pretty limited. Children get restless fairly quickly. It's for these reasons that sometimes visits become sporadic and family ties are weakened – this shouldn't be the case. So why are family ties so crucial and why, in my view, should prison administrations do everything they can to keep them going? Well, here are my 10 reasons:

- 1. Humanitarian reasons. A prison sentence means the loss of liberty, not the desolation of family ties.*
- 2. Prison wellbeing. Visits are important markers for prisoners, often providing a much-needed 'boost'.*
- 3. Visits from family and friends militate against prisoners becoming institutionalised.*
- 4. Visiting helps family (children especially) to understand what prison is like for their loved one. Often it's not as bad as they have been imagining and myths are often dispelled.*
- 5. Prison visits make it more likely that the family remains intact. This means that when the prisoner is released he/she is better able to integrate into society.*
- 6. See the previous point – better integration means lower likelihood of re-offending.*
- 7. Visits allow prisoners, albeit temporarily, to maintain their role as husband, wife, father, mother, son, daughter. It is an important reminder that they are more than 'a prisoner'.*
- 8. Maintaining family ties through visits is a cost-effective way to reduce recidivism.*
- 9. Visits keep families together and potentially prevents family breakdown*
- 10. Visits and the maintenance of family ties can help prevent intergenerational offending.*

So, prison visits are very important for various reasons. Too often though, prisons are not geared particularly well to families and to maintaining family ties.

In my opinion that's a real shame, but thankfully there is so much good practice out there and lots of prisons that do work hard to make prison visitors welcome. Unfortunately at the moment these prisons seem to be the exception, rather than the norm. This has to change.

He is referring to an English situation, but his 10 reasons are very important. Because I have visited the prison a number of times, I know that if a woman is pregnant she can stay there and people will look after her.

I visited a prison in Ohio, and having a nursery in the women's prison was a great settler. Many women became grandmas for the baby; there were lots of nannas there.

You would allow a woman to have her child in a prison because you want to keep the family connections. The connection with family is important. What does that have to do with what we are talking about? I believe, as I have said, a family connection is important, but the prison is a long way away and it does not have a public bus service.

I asked the Minister for Transport once before, when the member for Sanderson was minister. He said a bus service was not viable. He said a study was being done. I do not know what happened to the study. He said we were in debt. This was when he used to hold up his famous 'debt' signs. It is a bit hard to believe now, when you see all the inducements going out in the form of dollars just before the election.

Mr Styles: Would you like to borrow it, member for Nelson?

Mr WOOD: It brings back memories.

I understand some work has been done on the viability of a bus service to the prison. Could someone tell me where that is at?

I have never asked for a bus service to go just to the prison, which seems to be the government's belief. That is what they have been looking at all this time. I see an opportunity for a bus service that would depart from the 15 Mile. If you do not know the 15 Mile, it is on the Stuart Highway. Aboriginal people live at the 15 Mile community and a bus from Palmerston stops there regularly.

I do not see any reason that bus could not, on an hourly basis, go past the INPEX village. If there

are workers at the INPEX village – cooks, laundry people, cleaners and gardeners – they could catch that bus and then head on to the prison. Correctional Services employees could get on the bus and go to work.

Families would only use the bus at certain times because you have to book, and because some prisoners work during the day. Families would not use the bus all the time, but there would be the opportunity for families to catch it.

There is more. The bus could go on to the Howard Springs Nature Park, which is one of the most popular parks around. I was told that more people go to the Howard Springs Nature Park these days than Kakadu. All the criticism and arguments about it do not matter; the rock pools at Howard Springs Nature Park are attracting many families. There is a terrific adventure playground, rock pools in the shade and barbecues, and it is crowded every weekend.

If you have a bus service that can combine all those benefits, you will realise the bus service will not necessarily pay for itself, but will at least help people get to work as well as service the prison. That is what a public bus service is all about.

The family side of it means you can be picked up by a standard bus service. A bus service goes to Crocodylus Park, which takes people back and forth to a tourist resort. We do not seem to have much of a problem doing that. Going to the Howard Springs Nature Park you could come back via the Howard Springs shops. They only see three buses in the morning going in one direction to Palmerston – they do not come back – and they have three buses in the afternoon going back to Humpty Doo from Palmerston. We do not have a proper bus service.

If you had this bus service on an hourly basis, you would give people in Howard Springs an opportunity to catch a bus. I want to emphasise this: do not look at this as it being just about families going to the prison, but also as adding a bus service to the rural area, which will serve a group of people in the INPEX village, the prison, Howard Springs Nature Park, Howard Springs shopping centre and Palmerston, including 15 Mile.

Here is an opportunity to help families who need to visit the prison or may want a day out at the springs. Here is an opportunity for workers to have the option of a public bus service to get them to and from work.

I go past the old Berrimah prison sometimes – not so much these days, but they still have visitations – and you would see people waiting at the bus stop at Tivendale Road to catch the public bus

after their visit to the prison. They could not afford a taxi, but there is a bus service there. I am not saying the bus service was there especially for the prison, but it would go past and people could be picked up. If you have been to the Port Phillip Prison in Melbourne, as I have – the minister knows I have visited lots of prisons.

Mr Elferink: Next time plead not guilty.

Mr WOOD: Okay. I will take a caning then.

The bus stops right at the front door there. It is in Footscray, on the edge of the suburb. You can get off at the front gate and walk straight into the prison.

In Western Australia, the bus leaves Perth and drops you about 1 km – you have to walk a bit – from Hakea Prison. I am sure I have been to Hakea Prison, but I have lost track of all the prisons I have been to. Again, people are permitted to catch a public bus at low cost because many of the families do not have much money and they have kids. They can get close to the prison to visit their relations.

In Holtze there is no bus, which is of concern. I raised this issue with the member for Sanderson when he was minister and all I got was a polite, 'No, it will cost too much. Our bus services cost because it is a service to the public.'

I quote from the ABC, when the Minister for Correctional Services said:

'As far as I'm concerned, if it's not economic to do so then we won't be doing it,' Mr Elferink said.

He said he had previously seen an estimate for the cost of running the service, and it would be in the vicinity of \$80 000 per annum.

Since when have public bus services been economical? What are the details behind the \$80 000 figure? Did that include the concept I am suggesting, that we pick up other people? I do not know. Was it just a special bus for the prison?

We run buses around Palmerston and the rural area, and probably parts of Darwin, which are empty or have one person in the back seat. We still do it because it is a service, and we do not remove the bus routes.

Perhaps I am told 'no' because of the details of the bus contract when it was sold. It seems difficult to find out if we can expand our bus service. Is an expansion in the bus service limited by the arrangement the government made with the new bus company? Did you put in place a

contractual arrangement that does not allow for an expansion of bus routes in the Darwin region? Is that why we cannot have a bus to the prison?

This request is for a two-year trial. If other people can use the bus it will be more viable. That is all I am asking. Advertise it. Do not start it and forget about it like the container deposit scheme; you do not advertise that much these days. Advertise it and run it on an hourly basis from 6 am to 7 pm.

I find it sad that the Salvation Army has to use its valuable resources to provide a bus to take families to the prison.

If the minister claims it will cost \$80 000, will it cost the Salvos \$80 000? No wonder their slogan is, 'Thank God for the Salvos'.

Minister for Correctional Services, please talk to the Minister for Transport and let us do a good deed before you head off into the sunset. I will not complain if some of the TIO money is used in the trial.

Mr Chandler: Hang on, what are you suggesting?

Mr WOOD: Not you, the Minister for Correctional Services. Sorry, I know commas can be a problem. I was referring to the Minister for Correctional Services heading off into the sunset.

As I said, I will not complain if some of the TIO sale money is used for a trial because that is a worthwhile thing to do. It does not matter whether you are black or white, or why you are in prison, you will always be someone's husband, wife, mother, sister, brother, son, daughter, relational friend or, if you are Aboriginal, cousin, nanna, bungee or whatever.

You have to remember that most of the people in prison are Aboriginal and most of those families are not that well off. Even though we will not discriminate about who can travel to the prison, the facts of life are that most of the people in prison are Aboriginal.

Minister, you are proud of your slogan, 'sentenced to a job.' Put it on the public bus to the prison and we will be proud too.

I believe that in this day and age, in relation to the 10 points that I read out, it is important for people to visit their family in prison and for prisoners to keep their relationship with their family; you need to help people travel there.

I have tried to put it in a way that does not place all the cost on Corrections or taking people to prison. I have tried to establish a practical outcome that says – believe it or not – a lot of

people work at the INPEX village. Believe it or not, a lot of people work at the prison. Believe it or not, Howard Springs Nature Park is your nature park, and you want people to use those facilities as much as possible.

You can throw into the mix a public bus service available to families who want to travel to the prison. I think it is a good idea, maybe because I brought it up. But, being humble, I am not the only person who has raised this. The Salvation Army and some of the legal groups have talked about it. They know it is very much needed. I simply raise it from a personal point of view.

As I said, I have visited many prisons, about nine in Australia and a couple overseas. Prisoners get lonely. They are human beings and they are being punished. They have lost their freedom, but if you do not allow them to keep contact, you are setting some of them up for failure. If they come out of the prison and find that their wife has gone off with someone else because they have lost that contact – these things happen – why bother staying out of prison? 'I might as well go back to prison. I'll smash someone on the head and go back to prison. At least I have a meal and a bed.' Sometimes that happens.

That connection with family is important. All right, it may not be important for every prisoner, but there are enough prisoners there – everyone has family. If you leave that door open for the family to reconcile and keep up that relationship – if the government can encourage that and not put hindrances in the way – then by having a public bus service past the prison you are doing a good thing.

I hope the motion is supported. I do not think it is a big deal to extend the public bus line. We spend heaps of money on the V8s and the Darwin Cup with plenty of free buses. We could do it for a good reason here – the workers, the parents who would like to take their kids for a swim, and the families of the prisoners.

Mr VOWLES (Johnston): Mr Deputy Speaker, Labor supports this concept, but maybe we will look at it over a six-month or 12-month trial.

I pick up on the member for Nelson's comment about the importance of family and connection to family. It does not matter where we are and what we are doing, we must have that connection to our family. Sometimes people do the wrong things and end up in the wrong places. That is what happens. Unfortunately we see a majority of our prisons full because of Aboriginal people doing the wrong things. They are suffering in our gaols and we need to look at a holistic approach to that and how we can keep them out of gaol.

I have had family in and out of gaol my whole life. I once asked where my uncle was and my mum told me he was out bush camping, but I found out when I was a lot older that he was not; he did not have a choice where he was. He never played up again because he realised he had done the wrong thing. He served his time and moved on.

Connection to family is so important. The consequence of the lack of a bus service to the correctional facility is that we lose the opportunity to be connected to the person within the facility. That is important. We need a holistic approach to keeping people out of prison. That means looking after families, maintaining the connection and going from there.

The member for Nelson's concept in this motion is good. There has been much public comment about what the bus service and access to the prison means to those people. A six- or 12-month trial might be sufficient to test the viability of that service.

The member for Nelson raised some good points, although I cannot remember all 10 points. If you focus it around other bus stops which are already out that way it becomes a viable option to increase access to the Howards Springs Nature Park. I was out there two weeks ago for a fantastic family gathering. It was one of my many nephews' birthdays. I had not been there for a very long time.

I was taken aback at how many families were there, and how the upgrades to the facility have changed it – the amount of people there enjoying being with their family, having their children's birthday parties, or just having a barbecue. It was refreshing to see families enjoying their time together. We are so busy as parliamentarians, getting out and about, meeting new people and old people, doing our jobs, and being at as many functions and school council meetings as we can get to. To sit back, have an hour-and-a-half enjoying my quality family time, and watching others enjoy their time, backs up the member for Nelson's comments that the Howards Springs Nature Park is a great place to go to. Many people go there.

It makes sense to have a viable option, such as a bus service to the correction facility via Palmerston, the workers' camp and the Howard Springs Nature Park. Sometimes we lose contact with common sense; we are so busy in meetings with advisers, other members of parliament and experts that we sometimes lose the commonsense approach and the compassion around what we are trying to achieve.

People are in gaol for a while for the wrong things. Many of them are in there for the three Ws: wine;

women; and wheels. We need to address those issues. Wine, women and wheels are pretty much what fill up our gaol ...

Mr Styles: Sooner or later you will get into trouble.

Mr VOWLES: I will explain that because it looks like people are looking at me wondering, 'What do you mean by wine, women and wheels?' I am talking about too much drinking and then getting in their car and driving, and getting pulled up for drunk driving. Or they have too much to drink and they bash their girlfriends or partners, or get into fights with their mates who are trying to look after them. Wine, women and wheels – I reckon about 80% of people in our gaols are there for that reason.

Sometimes for a moment when you are not in control or you make a bad decision, you pay the consequences, which can include being locked up. That is what the law and the gaol is there for, but it should not mean that you do not have access to your family because they do not have the \$150 taxi fare to visit you in the correction facility. We must support an option to get there and visit those people. It is important because we do not want those people to play up and end up back in there. That is what we are trying to achieve – get the recidivism rates down and move forward.

There are more than 1000 inmates in that correction facility, I have been told.

Ms Lee: There are more than 300 females.

Mr VOWLES: Of that, more than 300 are females. Thank you, member for Arnhem. That is too many. You build a bigger gaol; you fill it up more. We need to make sure when people get out of gaols they do not go back. A lot of money has been spent trying to achieve that, trying to lower the rates of recidivism. I truly believe we can have a holistic approach to this, including a bus service to help families get there. They know what they are missing out on and so do we.

As Aboriginal people – including other members of this parliament – we know the true impact of this. We know what it means – the jealousy, the rage. 'I can't be with my family.' There is a lot of anger. I have been involved in the Elders Visiting Program in gaols with my work at Berrimah and Alice Springs correctional facilities, as a lecturer at Bachelor Institute and with community justice policy here over the years. It is real work. It really impacts the prisoners when the visiting elder comes in. I have seen people break down and cry because they are embarrassed to be in there. They know they have let people down and that their family is struggling in their community or in

town because they cannot visit. One-hundred-and-fifty dollars is a lot of money for some people. It might not be for us, but it is for some people.

I will read some of the comments from media reports. Prominent Darwin criminal lawyer, John Lawrence, in a March interview on ABC:

... argued that visitor numbers had massively dropped since the new 'superjail' replaced the former prison at Berrimah in 2014.

Mr Lawrence told the ABC that the absence of bus services to the prison was hampering prisoners' prospects of rehabilitation.

But Mr Elferink rejected that claim, and said it was the former Labor government that put the existing bus stop there in the first place.

We know that is correct, because we wanted families to visit and have access to people in prison. Mr Elferink then said:

As far as I'm concerned, if it's not economic to do so then we won't be doing it.

He then quoted the \$80 000 mark for doing it.

Mr Lawrence argued that the lack of bus services was a glaring oversight which diminished the prospects of prisoners' rehabilitation.

'This [has] a terrible effect on the prisoners, because they are receiving fewer visitors, and it [has] a terrible impact on the families ...

...

... families without private transport often found the \$150 return taxi fare to be prohibitive

He called on the minister to do something about that, to which Mr Elferink replied:

'If a person wants to spend time with their family and they value their family time so much, don't commit the crimes that see you go into a jail in the first place,' ...

...

He said he had not seen any evidence that visits from family members aided rehabilitation, or reduced their chances of recidivism.

We go hand in hand with that. We can have a bus service to the prison. The impact of families telling prisoners they need to serve time, get out and not do it again, because they miss them and want them home, fulfilling their role.

We support the concept, member for Nelson, but if we had a six or 12-month trial we could use the statistics to determine the impact of the service and how many people use it.

It is also important to note that most correctional facilities around the country provide free transport for visitors to visit the prisoners. I think all the gaols in Queensland and most other gaols around the country do that. Connection to family is important.

In relation to adding more bus stops, the member for Nelson mentioned the Howard Springs Nature Park as a destination, the workers' village and a Palmerston bus stop. I think it has the potential for great benefits, which is why we support this motion. We could also consider some flexible alternatives that would go along with this.

Member for Nelson, I think you have raised a very good motion. It is very relevant, sensible and caring, which you do not see very often in this Chamber. It is a good motion and I support it.

Ms LEE (Arnhem): Mr Deputy Speaker, the member for Nelson can probably mark a tree for this; I support him on this motion.

Any government would put money where you generate money, but at the end of the day you have to give something back. That is basically my philosophy in life.

A simple bus service to take families to see prisoners would help the residents at 15 Mile. I have been to 15 Mile; I do not know if any of you have been there, but I have relatives who live there.

Not everybody has cars to get them to the site where the workers live or the famous Howard Springs, which I have visited all my life since boarding school.

We all know prisoners. Let us go back to the start. The legislation, with the new prison being put in place, said a pregnant woman can have her child in the gaol and keep her kids there until they are five. I disagree with that concept because the biggest learning curve for a child is between zero and five. Keeping kids incarcerated is not a good idea, but it is in the law and they are allowed to do that. If mothers raise their kids in gaol, it contradicts not having a bus service for the rest of the family to visit family members who are in gaol.

I have a lot of family members in gaol – heaps. We all know 80% – 300 women in there. That is a lot of females. But, as the member said, it only takes the female on the outside to play up, and most of them do. They play up the whole time their partner is in gaol and they do not visit because there is no transport to the prison. They live in very remote areas so the cost of getting from there to here is even worse. Most of them make it up here and get carried away with other families, drinking and stuff like that. That is typical. I see it all the time. My brother is one of the victims.

Bringing these families together for a visit calms them down and gives them something to look forward to. That could help with the rehabilitation and not going back to gaol.

Working while in gaol is one of the best initiatives the CLP ever came up with. It has given them a purpose while they are there, earning money while they are in gaol. When they get out they have enough saved up to buy a vehicle. They feel proud of that; it is a good thing.

But you have to give back to the people in some way. It is like the roads and infrastructure in the bush. Most of the communities will never have bitumen roads; I know that for a fact. When I was elected I thought I could change that, but I know it is a hard line to change because most of these communities have a false economy. Money is injected by the feds; taxpayers build these communities up. No one wants to put money out there as much as we want to see these communities build themselves. No one even consulted on what each community wants. You wonder why the incarceration rate of Aboriginal people is high. That is the sad truth.

I had to learn from the bottom tier up to the top. At the end of the day it is just common sense. If you want to help prisoners – the first step you took was to give them a job while they are in there. That was a good thing. But at least try to keep them out of gaol. Everybody talks about trying to keep them out of gaol, but nobody has the common sense deep down to do it. It is not a joke; you should not feel sorry for them. Yes, they get themselves there, but everybody needs their family.

Most of the men in there have kids they want to see. It stops the woman from abandoning her kids. It gives her a purpose knowing she has a husband in there who is coming out to be with them again. Not giving them any support to get there restricts that. It causes more chaos within families because they have no other way of getting there.

This is a good motion. I support you on something for the first time. We all have our own opinions as Independents, but I think this motion is really good. Whether it is a six-month to 12-month trial, like Kenny said – I would like to see it ongoing. Little things like this matter the most to people. These are the things you never forget when you walk into this House – having a bit of compassion.

If I was in there, I would move heaven and earth just to see my kids, and I am sure many of the men and women there feel the same way. I cannot even live without my kids for a week. Being here for work is bad enough. Last year and the year before, when sittings went for two weeks, I had to bring them here on the weekends or I would go home. I did not care about the hours of driving in the middle of the night. It did not matter to me as long as I saw my kids. That is all that matters.

If you start treating them like criminals they will always be criminals. That is the point. That kind of psychology is built up over the years. Even people in remote areas still do that. Prisoners coming out of gaol call themselves criminals, and they are proud of it. We have to work to change that in some way, even if means just doing little things at a time, things that could work in the future.

I do not know how the government feels about it, but I think it is a good line. I am interested in prisoners having contact with their family while they are in gaol. The majority of them come from some of the most remote areas where the nearest town is 500 km away. They are not always in work camps, but if they are it is not their region. That is another thing you have to consider; it is good to have a connection with your family, especially Aboriginal people. They have grown up like that. We are not nuclear families. We need connection. It is like the department taking a kid away from their parents. The minute you remove a child from the family circle, it could be five or 10 years, but that kid can never come back to the family circle. That is the truth; they are gone forever. They will always have a connection, but they will never be part of the circle because they were not there.

The bush is different. When you are raised in a community it is a different setting to what town kids get. I was raised in the bush. When I went into town I did not feel like part of the group with any of the kids who were raised in town. The way they talk, the way they act and the way they look at life is totally different to the way I do. I never fit in with the town kids, but I can relate to a lot of the bush kids. The majority of those in gaol are from remote communities. They are already isolated as it is. They will really appreciate having

something to look forward to once a month, or every second month, with their family visiting them.

On that fact, you can mark a tree, member for Nelson. I support you on this motion.

Mr CHANDLER (Transport): Mr Deputy Speaker, I recall when the member for Nelson initially raised this with me, as the Minister for Transport. There was some media around this and I was quite surprised. If memory serves me correctly, the media quoted that the poorest of society, those people who wanted to visit incarcerated family members, were forced to pay \$70 from Darwin or Casuarina. I reckon we have a great public bus service in Darwin, and, for the record, it was not correct to suggest that someone would be forced to pay \$70 to get to the prison if they were taking a taxi.

To give you an idea, a single ticket for unlimited bus travel for three hours on the wonderful bus service in Darwin is \$3 and \$1 for concession card holders. There is a daily card for unlimited bus travel until the last service of the day for \$7 and \$2 for concession holders. For flexi trips, which include 10 trips, each trip permit is unlimited travel for three hours and the card never expires. You can get 10 trips for \$20, or \$2 per trip. Weekly tickets can be purchased for unlimited bus travel for seven days, including day purchase, valid to the last service of the seventh day. They cost \$20 or \$7 for concession holders. Concession fares are for Territorians with Seniors Cards, Pensioner and Carer Concession cards, Health Care Cards, BasicsCards, Australian educational institution university identity cards and DVA cards.

Travel on NT public buses in Darwin and Alice Springs is free for all the following people: veterans who have a Department of Veterans Affairs Gold Card; people with a Vision Impaired Travel Pass; Companion Card holders and their companions; NT school students; any child under five years of age; and people who are unable to use the ticketing system due to a significant permanent disability. Many of the people visiting our prisons could come under some of these concessions. In many cases the most someone will pay for a bus fare from Casuarina to Palmerston is \$1.

That is not to suggest the member for Nelson's idea does not have some level of merit. I asked the Department of Transport to give me some costings around running a bus service to the correctional facility. The brief said that to run a daily transport bus to the correction facility would cost in excess of \$250 000 a year.

I discussed this with the Attorney-General because I thought running buses to the prison at

regular intervals may affect the operational side of the prison. It occurred to me that it may be difficult for them to operate the prison in such a manner with people turning up at any time, even if it was visiting hours.

The Attorney-General told me it would be very problematic if people just showed up at will, hopping off the bus. I thought perhaps we could extend the current networks with what we already have out there. Then it occurred to me that if we developed the area there, such as building houses and people living around the prison, we could extend the public bus service.

It turned out it would cost \$250 000. We put it through discussions with the Attorney-General. John was not opposed to the bus service, but he was opposed to it coming out of the Correctional Services budget, hence why I was doing some work behind the scenes to see how much the service would cost.

Some interest was then put forward, and I am pleased to say the Salvation Army saw the need to provide a service. It has started that service now and it will be provided for the next four months as a trial to see if it will be successful.

The service runs three days a week, being Tuesdays, Thursdays and Saturdays. There will be four trips on Tuesdays and Thursdays, and three trips on Saturdays.

The service leaves the Salvation Army at 3 Yanyula Drive in Anula at 8.15 am on Tuesdays for 9.30 am visits, 9.45 am for 11 am visits and 1.15 pm for 2.30 pm visits.

On Thursdays the Salvation Army bus leaves at 8.15 am for 9.30 am visits, 9.45 am for 11 am visits and 1.15 pm for 2.30 pm visits.

On Saturdays the times are similar, except no 1.15 pm. There is an 8.15 am service for 9.30 am visits and a 9.45 am service for 11 am visits on Saturday mornings. They offer a service from the northern suburbs to the prison as well as from the Salvation Army church on the corner of Temple Terrace and Woodroffe Avenue. The service runs at 12 noon for 1 pm visits on Tuesday, 12 noon for 1 pm visits on Thursday and 12 noon for 1 pm visits on Saturday.

It is great that the Salvation Army has stepped into that area and provides that service. I understand it charges \$5 per adult ...

Mr Elferink: They are asking for a donation, otherwise it would be a hire car. It would be in breach of the Motor Omnibus Regulations to charge a fare.

Mr CHANDLER: Yes, that is right. It is a donation of \$5. That cost will get them to the prison and back to either Anula or Woodroffe Avenue, where the Salvation Army buildings are.

It is great that the Salvation Army has recognised the need for this service. It will be very interesting to analyse the statistics from the Salvation Army over four months and see what the pick-up of that services was.

A service like that could put forward an application through something like the Community Benefit Fund for the government to subsidise or pay for it. It would be up to the Salvation Army to put forward the application, and the government would have to consider it. I understand this service would cost about \$50 000 a year to run, which is offset by the \$5 donation.

Having said that, it would be interesting to see how successful the service is. We will be able to determine that at the completion of the four-month trial. If it is successful the Salvation Army may wish to continue with the service. As I said, if the Salvation Army puts in an application for government to consider, we would consider it along with every other application. It would be far wiser for the government to support a service like this, even if the estimated cost is \$50 000 a year. I am only suggesting that from the information I have. If they submit an application and government agrees to approve it, it would be a wiser use of taxpayers' money – not even taxpayers' money, because if it comes from the Community Benefit Fund, that is money the government collects from gaming machines.

The money is there to support community initiatives and this would be a great community initiative to support, but it would be far wiser to use \$50 000 a year of money that is sitting within government coffers than to use Darwin bus services at a cost of \$250 000-plus to provide a similar service to what the Salvation Army can provide.

Kudos to the Salvation Army for picking this up and seeing the need for it. Our great Attorney-General, John Elferink, will say he was never against a bus service, but it should not come out of the Correctional Services budget. I understand his views on the matter, but I have a budget to consider from the Department of Transport's perspective. These types of additions, which have been applied to our routes over the years, have created such a clunky network across the Northern Territory.

We have been working on this for the last couple of years. I am not in a position to announce anything or do anything rash, but some wonderful modelling has been done on the Darwin bus

network to provide a far superior service to what we are getting today. I do not mean the standard of the drivers and buses, but a network that is far more connected and regular, with far more services than Darwin and Palmerston, including the rural area, have ever seen in all the years we have had a public bus service in Darwin. It is based on computer modelling, and I am amazed at what can be achieved with the same number of buses – that is not quite right; one additional bus would be needed, if memory serves me right.

This work is being done by the Department of Transport. What we can do with the Darwin bus network in the Northern Territory is exciting, and we have done it because of things such as ad hoc bus stops being added around the system over the years, which has made it clunky and not as efficient as it could be.

The current modelling could transform the bus network. I look forward to talking about it more and describing it to the general public. In the future we will have a far superior bus service than we have today, one that is far more regular, reactive and with far more opportunities for the general public. But that is another story.

This is a very good initiative by the Salvation Army. We should follow and look at the analysis of the results over their four-month trial period.

Mr ELFERINK (Correctional Services): Mr Deputy Speaker, as the Corrections minister I have one or two things to say in this place.

I understand why people think I have been a bit brittle in this space. I get the argument, but here is the deal; at no point have I ever said I necessarily want prisons to be comfortable. My position from the get-go is that prisons are places where people recognise the error of their ways and which can be used as a vehicle for genuine rehabilitation.

I can tell you how you rehabilitate a person. You do not do it with a building, a bus service, a road, a chain or a barbed wire; a person changes when their mind and their heart changes. That is when a person takes the path of rehabilitation. As the Corrections minister, everything I have ever done has been aimed at trying to place people in a circumstance where they choose to change the way they perceive the world. That is what Sentenced to a Job and Correctional Industries are about. It is all about giving people an opportunity to make better decisions.

This issue was first being driven by Mr Lawrence, former head of the NT Bar Association, who has been a strident and often unwarranted critic of me, but it is a free country and I do not mind. The argument is made that I am victimising families.

No, I am not. It is the decision to commit a criminal offence which victimises families. I have not kept people away from people in the decisions I have made.

The Elders Visiting Program is very important and aimed at changing what is in the head and the heart. I hope it continues to bring the pressure it needs to.

I am not inherently against a bus service. I have actively encouraged the Salvation Army to make the decision it has. It is amazing what happens when, from time to time, government says no to the astonishment of all and sundry, and other solutions are found. That is not a bad outcome. One of the great errors we make in the current environment is that we assume government will fix everything. Sometimes, if you put pressure back into the system, the system outside government finds other solutions. That is starting to occur now. There is some ingenuity and initiative going into it, and I congratulate the Salvation Army for finding that solution, but I was not keen to pay this from my budget.

The argument is quite simple; it will lower recidivism rates. Apparently there would have been more visitors to Berrimah. The department tells me visitation numbers have not changed, and outside the Sentenced to a Job classification the recidivism rate has not changed. We have been located at the Darwin Correctional Centre for about a year, maybe a smidge less, but we are not seeing any appreciable difference in recidivism rates or the visitation rates compared with Berrimah. Those arguments so far are not holding water, but it is early days yet.

Was I correct in hearing the bus goes all the way to 15 Mile now?

Mr Wood: Regularly. It does not have far to go.

Mr ELFERINK: Several times a day?

Mr Wood: It is part of the Palmerston bus route and it is probably on the hour.

Mr ELFERINK: Why am I quoted \$70?

Mr Wood: That was in the paper.

Mr ELFERINK: Yes, but the point is a taxi from 15 Mile to the Darwin Correctional Centre would not be \$70. It possibly would be from Darwin. I suspect that might be about right, from my recent experiences in taxis. I will take it on face value, but nothing is stopping them from catching a bus to the 15 Mile and then a taxi the rest of the way.

Mr Wood: As long as you have a phone.

Mr ELFERINK: If you have a phone; that is true. But if you share the ride, I would say that somebody would have a phone on them. Let us use a bit of ingenuity.

Mr Wood: It is not far up the road for that bus to go. We are using local knowledge.

Mr ELFERINK: I am inviting people to use their brains; God gave them brains. The one part that I find attractive is the idea of a bus service to Howard Springs. That may have merit and may be worth investigating. If you do that there might be some value in a bus service, but I will not take it out of my budget.

It has to measure up to all the other benchmarks that a bus service should recover ...

Mr Wood: Same as Port Phillip Prison.

Mr ELFERINK: We are in furious almost agreement with each other, Gerry. The arguments behind the bus service have not borne out in the numbers I have seen. I admit it is early days. I am disinclined to reach into my budget for all the reasons I have outlined.

I provide a bus service for prisoners, but it is the Sentenced to a Job prisoners going to work and then making a contribution back to the prison system. They know that is their duty. The money they pay as part of their board means we put on a bus service.

Debate suspended.

APPROPRIATION (2016-2017) BILL (Serial 170)

Continued from earlier this day.

Debate adjourned.

YOUTH JUSTICE AMENDMENT BILL (Serial 165)

Continued from 21 April 2016.

Ms FYLES (Nightcliff): Mr Deputy Speaker, the opposition opposes this bill this evening, not because we do not see the desirability of clarifying rights and responsibilities, but we feel that the proposed amendments could have used some more work and consultation to get them right.

I thank the minister and his office for the briefings they provided. They have gone out of their way to help us fully understand this bill. It is not a straightforward bill to understand. They have provided me with the opportunity to visit the Don Dale centre and have responded to e-mails and queries. I acknowledge the minister's office and

departmental staff for going out of their way to help opposition members and me, as the shadow minister, be fully across this bill.

As outlined in the minister's second reading speech, the Youth Justice Amendment Bill seeks to do a number of things, the first of which is to clarify the definition of 'mechanical devices' for use by the Commissioner for Correctional Services, and the circumstances for their use to restrict the movement of a detainee.

There are two relatively unexceptional elements to this: the definition of the device can be used, in effect, following approval by the commissioner; and clarification of which devices can be used or authorised for use to escort a detainee inside and external to the detention centre. At first glance, this centres on clarifying the rights and responsibilities, and the tools, that can be used to restrain youth in detention during movement to reduce the risk of escape, and to prevent harm in a custodial environment, whether it be self-harm or harm to prison officers, youth justice officers, other detainees or other people working within the facility.

These objectives in themselves are understandable and without significant objection, though we are still talking about the use of devices to restrain juveniles. While most of the second reading speech from the minister referred to mechanical devices such as handcuffs and other restraints, future definition could include tools such as restraint chairs. That is how I understand the legislation.

The minister will be taking notes as I read and he will perhaps answer some of these queries in his closing speech. The newly-inserted section 151AB contains a definition of approved restraint, which is:

An 'approved restraint' is a mechanical device the Commissioner of Correctional Services has approved for restricting the movement of detainees.

The second reading speech says this clause will provide clarity as to the mechanical devices or restraints which may be approved for restricting the movement of a detainee's arms, feet or body. It goes on to say:

In practice, it is proposed the term 'approved restraint' strictly refer to four categories of restraint instruments: handcuffs; ankle cuffs; waist restraining belts; and safety equipment.

The second reading speech continues that:

The newly inserted definition of an 'approved restraint' also ensures that modern mechanical devices of restraint or advancements in technology will adequately be provided for in the Youth Justice Act. The bill thereby omits all references to 'handcuffs or a similar device' and replaces it with 'approved restraint'.

I think it is important to note that the review of the legislation appears to be a direct result of the difficulties in restraining, separating and transporting youths, especially those involved with disturbances at the Don Dale Detention Centre in August 2014.

To put this in context, the disturbance involving weapons fashioned from smashed plates, light fittings or windows was linked with behaviour management of some youths centred at the solitary confinement for up to 23 hours a day.

This event, in turn, led to the Children's Commissioner's investigation into complaints about the circumstances leading to those disturbances and their management. The Children's Commissioner's report highlighted the need for suitable training for all staff in the youth justice environment, and concerns have been raised with all involved in this sector about staff training.

The report focused on de-escalation and negotiation training specific to young people. It also recommended the review of operational practices and, where necessary, changes to policies and procedures to ensure compliance with the requirements of the *Youth Justice Act* and Regulations.

We acknowledge that this work in clarifying roles and responsibilities is necessary, but we fail to see how it has progressed in line with other complementary work to improve youth detention practice in the Northern Territory.

The second key area of change embodied in these amendments allows the use of approved mechanical devices as an exception to the use of a restraint of the body in maintaining discipline or to protect the safety of detainees or other persons. By way of explanation, in the *Youth Justice Act* is a premise that the use of mechanical devices in the youth justice environment will not generally be used for maintaining good order and discipline in youth justice facilities. The changes embodied in the bill specifically allow for that to be lifted in certain defined circumstances.

Section 153(4) describes limited circumstances where the prohibition against using approved restraints for the purpose of maintaining discipline is lifted. We feel these amendments give quite

broad powers. The comment, 'reduce a risk to the good order or security of the detention centre', is too broad. If the superintendent is of the opinion that an emergency situation exists or that restraining a detainee would reduce a risk to the good order or security of the detention centre, the superintendent may appropriately use an approved restraint of the detainee or authorise the appropriate use of an approved restraint on the detainee.

The minister also said in his second reading speech:

The superintendent may also use handcuffs or a similar device to restrain a detainee as an exception to the prohibition against using approved restraints for the purposes of maintaining discipline at a detention centre pursuant to section 153 of the Youth Justice Act.

Clearly, legislators drafting the *Youth Justice Act* saw the use of body restraints on youth for general purposes and maintaining good order and discipline – we feel that principle should not be let go of lightly. The concerning thing with the proposed amendments is the continuing ambiguity of the circumstances where the restraints can be used, and the extent of the delegation of decision-making and interpreting the changes. Without the clarity of operational policies and other support to ensure improper use does not happen, we cannot support it.

We do not believe we have seen all the checks and balances, the regulations, the full list of approved devices and the operational policies they would be used with. We also have not seen the extent of the delegation.

During my briefing I asked the minister about the development of the operational procedures and if they have been developed or are still being developed. Perhaps in his closing speech he will provide some clarity on that. We had concerns with two points that were not clearly defined in his second reading speech:

The bill amends sections 152(1A), 153(4) and 155 to clarify that, in the relevant circumstances, the superintendent may:

- *use appropriately an approved restraint on the detainee, or*
- *authorise the appropriate use of an approved restraint on the detainee.*

This means that for the purposes of implementing an instrument of delegation, the superintendent may distinguish the members of staff who can use approved

restraints in the relevant circumstances and those who can authorise the appropriate use of restraints.

That needs to be read in the context of section 157 of the *Youth Justice Act*, which currently provides that:

...the superintendent of a detention centre may delegate in writing any of his or her powers and functions to a member of staff of the detention centre.

You can see where clarification is needed, considering we have seen in the past a high turnover of staff in these centres and there have been questions in reports around training of staff and the skills and qualifications they possess.

One can understand the need for an authorised officer to be able to de-escalate a situation or restrain a youth when safety issues prevail, but we need clarification.

I was given examples of decisions that may be made on the floor, including occasions where a detainee may be damaging property. During the briefing I was told that such decisions would be made on the floor, potentially involving an action to prevent another action. We are getting into quite ambiguous situations and the risks around inappropriate use of mechanical devices to restrain youth could potentially be magnified when decisions are made by undertrained staff who may be new to the situation and are under extreme pressure, or staff such as youth justice officers – where there is a history of high turnover of staff, casual employment arrangements and training and support issues.

The *NT News* ran an item recently about a new intake of youth justice officers beginning accredited training in Darwin and when I visited the centre I came across a large group of them, so that measure is welcomed.

We have concerns around an article in today's *NT News*, which I will quote from, relating to the budget:

The government has slashed spending on youth justice programs and services as it continues to spruik its hard line law-and-order agenda in the lead up to the Northern Territory election.

The Country Liberal Party allocated \$1.2 million towards youth justice programs in 2016/17, down from the \$2 million spent this financial year.

The cut comes despite the Government acknowledging the NT prison population is

on track to increase, with \$2.5 million allocated to meet demand at the Don Dale Youth Detention Centre and \$4.5 million in operational funding for the Territory's prisons to cater for 'increased prisoner numbers'.

The NT already had the country's highest incarceration rate. Territorians are jailed at 4.5 times the national rate.

NT Council of Social Services executive director Wendy Morton said she was 'extremely disappointed' to see funding slashed. 'We would have been looking to see an increase in programs to prevent young people entering the justice system,' she said. 'It's cost effective to keep people out and it makes the community safer if we're investing in young people.'

The cut comes shortly after Chief Minister Adam Giles announced plans to make it harder for repeat property crime offenders to get bail in a social media rant against 'bad youth'.

That was an article from the *NT News* website. The minister has debated in this House that without legislative change there are grave concerns that a detainee, a member of a detention centre or a member of the public may be injured. We acknowledge that comment and we have spoken to a number of stakeholders in preparing for this legislation. We also spoke to union staff. People want the clarity, but I think it is a missed opportunity. We could have gone that bit further to clarify.

I look forward to the minister's closing speech; perhaps he can add some clarity around some of the questions I have asked. We also would have liked to see substantial progress in implementing the recommendations of the Children's Commissioner's report, and those of the 2015 Vita review on the Northern Territory youth detention system, as well as a discussion with affected staff and the wider justice community to inform amendments to this legislation.

I ask who the minister spoke to in consultation to prepare this legislation. The Vita report was another important review and spotlight on what work is required to improve youth detention in the Northern Territory. Within its executive summary are these paragraphs that are directly relevant to the matters being considered today. Other jurisdictional experiences show that where instability exists, improvement will not necessarily come from toughening up a centre's physical security – for example, installing bars, grills and fences or toughening staff's emergency responses – alternatively, a holistic approach that recognises

security and safety underpinned by active case management processes, including positive relationships between staff and detainees.

The changes to the *Youth Justice Act* before us today also envisage that there will be a committee to review the departmental policies and incidents involving the use of mechanical devices to restrain youths. The department mentioned that in the briefing. Minister, you have made it quite clear that it will not be you, so I want to ensure it will take place. I understand that the review committee does not include any non-government representation. We suggest that including people from outside of government would assist with a balanced view of the community standards we expect in operational practice, particularly in the youth context.

We acknowledge the challenging and changing environment in managing youth detention and the increasing risks to detainees and justice workers. I have read a lot of material and looked at different models interstate. In regard to consultation, the department sent quite a bit of advice. We had questions on other jurisdictions – the NSW and ACT examples had tighter, more helpful definitions for correctional staff in relation to mechanical devices. In NSW legislation, under 'Use of force', it says that a juvenile justice officer must not use force except for the following purposes:

- (a) to prevent a detainee from injuring himself or herself
- (b) to protect officer or other persons from attack
- (c) to prevent serious damage to property
- (d) to prevent a detainee from escaping
- (e) to preventing persons entering a detention centre by force
- (f) refusal to be searched
- (g) seized dangerous or harmful articles
- (h) prevent/quell riot or disturbance
- (i) to allow drug detection dog
- (j) to allow a medical practitioner to carry out a medical treatment on a detainee in accordance with section 27 of the act.

It seems far more prescriptive when looking through the information provided there. We also got feedback from a number of stakeholders raising concerns. NAAJA expressed concern with the increased powers contained in the Youth Justice Amendment Bill to use restraints on young

people held in detention. I quote NAAJA CEO Priscilla Collins from NAAJA's press release, 'These changes are unnecessary and show that the government has not learnt vital lessons from the Vita review or report from the Children's Commission, which both looked into the crisis in our youth justice system'.

She went on to say, 'The evidence shows that relying on the use of force is not the way to provide a safe and secure, effective detention environment. The main failures of our system have been around a lack of relational security – the poor quality of relationships between staff and young people in their care. The Vita review identified that some key factors contributing to the instability and incidences within Don Dale included a lack of training, a lack of coherent operating philosophy, an ineffective classification system and an overreliance on inexperienced casual staff at youth detention facilities.'

Ms Collins said:

The Vita review did not recommend more powers for the use of force.

Mr Vita noted:

Many young people in the youth justice system come from homes where poverty, alcohol abuse, violence and dysfunctional relationships are the norm. These are young people in greatest need and the ones who are likely to require a higher level of intervention and case management. It is important that staff keep in step with this challenge by training and awareness.

The Children's Commissioner in her report called for an overhaul of staff training and recruitment in youth detention and a review of operational practices in the provision of remedial programs for young people. The commissioner called for Correctional Services to develop and deliver suitable training packages to ensure all staff have an adequate skill set to work within the current youth justice environment. Ms Collins said that staff need training in crisis de-escalation, negotiation and mediation training specific to young people in medium to high-risk environments. They do not need powers to use cable ties, restraints and hoods.

If the government is serious about creating a functional detention centre it must ensure that the recommendations from the Vita report and the Children's Commissioner's report are fully implemented. I think that is an important point.

Two very significant reports have been quite damning of our youth justice system. We have seen the cuts and not seen those reports

implemented. What needs to be done to help these centres operate safely has been clearly laid out.

There are examples in the Vita report which give a clear sense of what needs to be done, what other jurisdictions' experiences show and where instability exists. There is evidence that toughening up the centre's physical security will not improve the centre. The Vita review states that we need:

- *Strong central leadership and a clear sense of direction and values;*
- *Ensuring staff act in accordance with (up to date) operating philosophies, policies and standards Active engagement by detainees in healthy, positive rehabilitative activities and minimal lockdowns;*
- *Clear incentives for good behaviour and a strong but fair response to poor behaviour;*
- *A more proactive and less reactive model of staff/detainee engagement;*
- *Better case management;*
- *Improved programs and services;*
- *Intelligent improvements to procedural security;*
- *Clear local routines and rules;*
- *Avoidance of group punishment; and*
- *Everything that happens in a juvenile detention facility should in some way, either directly or indirectly, be aimed at that young person's eventual successful release and reintegration back into the community.*

The government has recently provided upgrades to parts of this centre to provide activities, but detainees are currently kept in sections. They are provided the option to go to another section for classes, but not in a purpose-built facility. The Children's Commissioner has commented on these conditions and whether they meet that of the United Nations' views on the rights of a child. We think this legislation's reference to restraints is quite ambiguous and we feel that a lot more work needs to be done. We need to see an investment, which we have not seen in the budget.

There have been 35 to 40 escapes; I cannot keep up at the moment. The changes required in this

legislation would have our support if it included more evidence, clarity, delegated powers, evidence of sound operational procedures and staff training, a more consultative approach to the development of these changes, and involvement of staff associations and the broader justice community.

We note that in the minister's statement the proposed amendments are to be completed by a commitment on behalf of government to review the *Youth Justice Act* – namely Part 8, 'Youth Detention Centres', Division 2, 'Superintendent' – within 24 months of the bill coming into force. We want to make sure that will happen. The minister will not be here, so he cannot give us that commitment.

I thank all the staff involved in preparing the opposition for this bill. We expect the bill to pass, but we do not want to be party to introducing partly flawed and potentially risky legislation.

Mr WOOD (Nelson): Mr Deputy Speaker, I support this bill. I thank the minister for allowing me to have a briefing. I do not know if the minister has seen the letter from Russell Goldflam, President of the Criminal Lawyers Association. Can the minister give us an indication of the amendments he is putting forward? I get the impression from reading the Criminal Lawyers Association's letter that this is an improvement on the current law. The association will support this, but thought it could include some more amendments. It would be interesting to hear the minister's response to that.

There is no doubt that sometimes the definition of 'a child' can be misleading. There is an agreement on the Convention on the Rights of the Child. In the Territory a child is someone up to the age of just under 18, but some children are big and strong. At 16 or 17 they can be violent. On the other hand, we have a youth justice system which employs people who have to care for these young people while they are in Don Dale. These officers also have a right to a safe working environment. Even though working in corrections will always have an element of danger, the danger should be minimised as much as possible. The discussion around this legislation is about finding the balance between two rights.

I listened carefully to the member for Nightcliff's views on this bill and I agree there are things that need to happen. There may be reasons why certain things happened, but, regardless of that, if someone is extremely violent and needs restraint we need legislation to cover these events.

From what I have read and received in my briefings, this bill has enough safeguards and independent scrutiny, and it has the right balance.

The idea of a restraint practice advisory committee is an important part of that oversight. The committee is made up of the commissioner and the Departments of the Chief Minister, Children and Families, Health, Police and Education. From my briefing I know that Colleen Gwynne, the Children's Commissioner – who has concerns about this legislation, as the member for Nightcliff said – is an ad hoc member of that committee. Why is she not a member of the committee? I am told she also has access to incident reports. We also have the professional standards body, which can be involved, as well as official visitors.

When I first looked at this bill there was something that had not happened before – constraints are part of the existing act. It says 'handcuffs or similar devices', so we are not talking about something totally new but a new definition of constraints and a widening of when they can be used.

The act now talks about an approved restraint as a mechanical device for restricting the movement of detainees. I note that the approved restraint has to be used in the least restrictive, least invasive way and in the minimum amount of time required.

I have a few questions that need clarifying. What type of restraints will be approved and what will be the protocol for their use. Will the advisory committee be involved in these decisions as well as the Children's Commissioner? Presently there is no allowance when transferring an inmate inside the centre to be restrained. The present act allows for restraint only outside a centre, but not inside, which seems like an anomaly.

One of the matters raised was the delegation of powers from the superintendent to a person who is faced with a dangerous situation.

Minister, how is that delegation authorised? Does it have to go through a procedure which, in an emergency, would seem bureaucratic and dangerous? Or is there an automatic delegation, made in an emergency, which is then approved after the event?

The bill raises questions about the adequacy of staffing arrangements at the centre. Again, the member for Nightcliff and other people have raised this, so it is not new. I also wonder if any of the issues that arose last year, which I presumed helped to lead to this bill, were caused by inadequate training or lack of protocols.

What is the turnover of staff? How many are only on contracts? What is job security like? Is there a staffing model for Don Dale?

It is good to see that youth justice training commenced in May for 19 recruits. This surely must be better than the previous short course that left itself open to employ staff who were inadequately trained. For existing staff, are they included in the new training procedures? Do they have a chance to upgrade?

Lastly, has there been a drop-off in rehabilitation programs at the centre? Instead, there is more emphasis on detention. In the past I have mentioned the importance of animals as a way of helping young people and adults there. Is there nothing like that at Don Dale? As a footnote, it is a crying shame that animals are banned from Holtze prison. It appears to be in the contract, but no one seems to have made an effort to find out why it is there and why it cannot be changed.

Back to Don Dale, what rehabilitations are in place and are they working? Is there a garden or a chook shed there? I have not been there, but I have been asked to visit and hopefully I will.

Mr Elferink: You will be very surprised.

Mr WOOD: You can let me know. Is Wongabilla used? It is just up the road.

If the government cannot afford a small chook farm, I will pay for the fencing, the feeders, the nests, the waterers and the chooks. I have some left over from my old farm – not the chooks, but the other things. You can pay for the feed.

Animals can play an important part in rehabilitation. Chooks will not hurt anyone and the inmates can have fresh eggs for breakfast. They will learn to care for the animals, feed them, clean the nests out and collect the eggs, and if they are there long enough perhaps even start conversing with them. Chooks make good pets.

Mr Elferink: Holtze has chickens.

Mr WOOD: Yes, that is good. This bill needs a response that is not only about constraints. We might be looking at constraints, but only as a result of a series of things that happened prior to the need to use constraints. There needs to be a response to this bill that is not just constrained – pardon the pun – but looks at the broader issues.

The member for Nightcliff raised many more questions than what I have. We do not want young people being restrained with mechanical devices. I am not putting my family down, but I have a grandson who at that age was another six inches taller than me and weighed about 100 kg. He is as gentle a giant as you could ever get. If you got someone that size – obviously there is a responsibility, if there is a danger to the staff, for them to have methods of protection.

We talked to both unions – the people who look after corrections at Holtze and the union that looks after people at Don Dale. The Don Dale people are very supportive of this legislation, but they raised the issue of staffing, which is fair enough, and training. They are very supportive of the changes that have come in, such as the new course for the people who will be coming to the centre. I hope they receive some animal husbandry training, minister, because you have to be able to handle the animals properly, according to the exact protocols. I hope the training continues and that the staff there have an opportunity to be part of the training as well.

There was also concern about contracts. Some people like working on casual rates, but there was the issue of permanency. In a place like Don Dale you want stability. The people you need to look after are, unfortunately, unstable. You want staff who are stable and committed. I am not saying they are not committed, but you want people who want to be in that job for all the right reasons, because it is a very important job.

I thank the people who work in those difficult positions. It cannot be easy all the time, but at times they get along well with the young people, play games with them and communicate with them. It is an old statement that many of these young blokes are in prison for – to some extent you can say they have to take responsibility, but you can bet your bottom dollar their family life was pretty hopeless. As my mother always said, there but for the grace of God go I.

You would hope we could turn these young people's lives around. Part of that will be the help they get from people inside to give them a chance not to end up back in Don Dale after their sentence.

Minister, I support the amendments in the bill. There are a couple of issues in there, but knowing that there is a restraint practice advisory committee involving many people, including the commissioner – I am sure the commissioner does not want any scandals. He will make sure things are done properly, according to the right rules, and that when incidents occur they are reviewed to make sure things were done according to the act.

Mr ELFERINK (Correctional Services): Mr Deputy Speaker, I thank honourable members for their support. I will address some of the issues raised by the opposition, which I am not sure supports the bill – or is simply not opposing it.

Ms Fyles: We said are not supporting it.

Mr ELFERINK: Okay. Be that as it may, I am not entirely sure I understand the logic of the

argument. This bill is supposed to bring much rigour around an environment which is fairly nebulous now. If I understand the argument from the member for Nightcliff correctly, it goes something like this: there is insufficient detail in the bill to give us the satisfaction that we can support it because it is too general. I am not sure if that is the exact word you used. This is actually a lot more proscriptive than what is currently there; the existing legislation is very general.

It is confession time. When I took over the corrections system I was focused to a substantial degree not only on the adult system, but my other portfolio areas, which are not insubstantial. Realistically speaking, I was concerned with some of the things happening in the juvenile detention environment, but because of other matters I pushed it down the priority list until such time as it became clear to me that it needed much more urgent attention. That is why the Vita review was undertaken. To suggest that this does not come from the Vita review is wrong. Whilst it is not an actual recommendation, it is a logical consequence of the recommendations of the Vita review, which I have been keen to make certain we bring to bear.

I was dreadfully unhappy with Don Dale when I inherited it from the former government, which it inherited from the former CLP government. It was named after the then Corrections minister, Don Dale, which dates back some 25 years, if memory serves me correctly. I wonder if honourable members are aware that the damn thing near caught fire. Not long before, I asked the Correctional Services Commissioner at the time, Ken Middlebrook, to move the kids out of there and into the old Berrimah gaol. I am not sure if members are aware of the physical structure of the old Don Dale centre, but the converted girls' dorm had ceilings made entirely out of wood. Even if you go there now you will see, above one of the fluorescent tubes, a scorch mark that goes from the back of the fluorescent tube all the way to the ceiling. If it was not for the quick actions of one of the staff, it is quite conceivable that we would have had a substantial coronial investigation into the death of a number of detainees because the wooden ceilings could have potentially become a fiery death trap for the inmates.

I indicated to the commissioner that it was unsatisfactory, but what was also unsatisfactory was the quality of staff training, which has been raised in this debate. I completely accept that. The quality of staff training in that environment was very poor indeed. It was not as well run as it should have been, and some of those practices went over to the old Berrimah prison. We have seen the manifestation of some of those practices. I made certain that the Vita review was done,

proper training was put in place and we had prison officers looking after the institution until such time as that training was completed. That continues to be done now.

A detention facility of any sort is about two things. It is about wires, bars, bricks, concrete and walls. However, it is also about processes. Whilst we have now, to my satisfaction, dealt with the wires, bars, bricks and walls issue at Berrimah, we are also attending to the training and systems we put in place. No corrections facility, no institution of incarceration, will hold a prisoner unless there are also systems in place to ensure the bricks, wire and walls can do their job. Part of that process, sadly, is restraint.

The courts, when they make a custodial order, be it through remand or the process of sentencing, will, by virtue of that order, deprive that person of their liberty. To contain a person in an environment where they are deprived of their liberty you need to empower people to ensure they are capable of doing that job. Historically that has been done, but in a largely nebulous fashion.

The Commissioner for Correctional Services said that one of the issues I need to look at, and I immediately accepted it, is the quality of the legislation surrounding the use of restraints. That work was done and the product is now being debated in this House. It is here for a number of reasons.

Firstly, it is to protect the youth from harming themselves. Sadly, too often in these facilities – whether they are adult or juvenile facilities – people will engage in self-damaging behaviour. When a person engages in that behaviour in a custodial environment, whether it is the health system, corrections or the police watch house, you need to empower the people charged with protecting those individuals under restraint from harming themselves.

To that end, from time to time mechanical systems have to be used. Examples of such a restraint are things like the chair. I would rather not have the chair; I would rather not have Don Dale, to be honest. I would rather terminate all the staff in the corrections system for no other reason than there being no work for them to do. But, the truth is, there is work for them to do and part of that work is dealing with restraint issues.

The second component is that you also have to restrain a person from injuring others, either other inmates or staff.

The member for Nightcliff says that she consulted widely. I wonder if she spoke to the candidate for Spillett, Mr Phil Tilbrook, the head of the Prison

Officers Association, to see what his position is on it as a serving prison officer in that context.

It is my understanding that there is support from the Prison Officers Association for this legislation because it will have the effect of protecting their members in two ways.

Firstly, in the physical sense it is easier to keep a person contained when you are allowed to use mechanical constraints. Secondly, in the sense that it will protect them from subsequent civil actions because the instructions in this legislation are far clearer than what is readily available.

I appreciate the uncertainty the member for Nightcliff might have around the operation of this legislation in relation to what she considers ambiguous components. I remind the member for Nightcliff that there are regulations attached to the operation of this legislation. Those regulations will cover the use of force in those circumstances in much more detail. I hope that gives the member for Nightcliff some comfort.

I am more than happy to give a commitment right now to the member for Nightcliff that if she wishes to be briefed on those regulations I will make that briefing available. Can we make a note that the member for Nightcliff be offered a brief? Perhaps that will fill in some of the blanks that the member for Nightcliff feels exist.

I also point out that there is a long-standing principle in law – and I will look it up so I do not say it incorrectly – which holds in principle an idea in relation to delegations. The member for Nightcliff wanted to know what the boundaries of those delegations were. The Latin maxim that has long existed is *delegatus non potest delegare*. That means that a delegation cannot be delegated. There is no passing a delegation down the system to some person who is distant from the original authority of the delegation.

These principles are captured in many legislative organs in which delegations are issued. Delegations are issued from the minister to CEOs and CEOs can delegate their own legislative delegations to other subordinates, and so on down the system. But my delegation to a CEO on a particular issue cannot then be delegated further on unless a statute enables that CEO the power to delegate. So that is another component of certainty we are trying to create in this bill.

Perhaps the argument is that they cannot support this bill because they feel it is too nebulous. If nebulous legislation, on the strength of their argument, is what they wish to press home, it is important to understand that this legislation is far less nebulous than what is currently in place. I am

anxious to not only protect people in custody, but also the people who look after people in custody.

I encourage the member for Nightcliff, who I presume is the shadow minister for Corrections, to also visit Don Dale centre. You would be quite surprised ...

Ms Fyles: Your office took me there last week.

Mr ELFERINK: Okay. In that case, were you surprised? I was, frankly.

Ms Walker: I went there.

Mr ELFERINK: I am sorry that the member for Nhulunbuy is still shaking her head and looking bitter about it.

Ms Walker: It should have been bulldozed.

Mr ELFERINK: I will take that interjection, 'It should have been bulldozed'. When it was holding 700 people it was not fit for purpose. That is why you built a new gaol. Are you now committing to a \$150m spend on a purpose-built juvenile detention facility? Is that your commitment? You can add that to the list of things you will rack up on the credit card. I did not think so. Silence has suddenly – you make these assertions ...

Ms Walker: I made no assertions.

Mr ELFERINK: Yes, you did.

Ms Walker: I just quoted what the Corrections Commissioner, who you sacked, said. It is a terrible place for children to be in.

Mr ELFERINK: I pick up on the interjection. Yes, it is a terrible place. I do not like seeing kids in custody. Unfortunately, all too often, they are breaking into people's homes and stealing cars. They are committing crimes. That is why they end up in custody. You will inherit that as a government.

If you are suggesting that you will fix this up – do I take from this interjection that you are going to release the children who are in custody? Is that your plan for the people of the Northern Territory, that these kids who are sent to the custodial environment will be released?

Ms Walker interjecting.

Mr ELFERINK: One of two things will happen under the next Labor government. They will commit to \$150m for a new juvenile detention facility or, alternatively, release these juveniles. I can do nothing about the member for Nhulunbuy's anger, which is ongoing. If she is angry now,

should she become a minister of the Crown, she will know what anger is. Member for Nhulunbuy, you will feel impotent more often than you do not. If you think that sitting there screaming at me is the solution to your problems ...

Ms WALKER: A point of order, Madam Speaker! Standing Order 32 – I am offended by the member's language and I would ask him to withdraw. It is misogynistic in its tone and I am tired of it.

Mr ELFERINK: I am sorry that criticism offends the member and I withdraw if it makes peace in this House.

Madam SPEAKER: Just withdraw the comment.

Mr ELFERINK: I withdraw. I cannot help the member for Nhulunbuy's ongoing anger, but what I will say to her is ...

Ms WALKER: A point of order, Madam Speaker! Standing Order 32 – I find it offensive. It is the nature of debate in this House that there are interjections and I am sick of being labelled by this minister.

Madam SPEAKER: I agree. Thank you, member for Nhulunbuy. Member for Port Darwin, could you keep your comments to the subject material and not make personal commentary on other members of this parliament.

Mr ELFERINK: Thank you, Madam Speaker. I would gratefully accept other members of parliament offering me the opportunity to finish my speech without personal comment and slights being directed at me.

Ms Walker interjecting.

Madam SPEAKER: Member for Nhulunbuy, can we just continue this debate so I can hear what the member for Port Darwin has to say in his summation?

Mr ELFERINK: I am one with the universe.

This is about trying to deal in a practical sense with the issues we face as a jurisdiction. No bitterness by any third party will change the challenges that governments have. It is not unique to the Northern Territory, the states in this federation, the Commonwealth or the Asia-Pacific region; it is something that happens all around the world. Every jurisdiction continues to wrestle with these problems and issues. Screeching at me about that sort of thing will not deal with those issues. This legislation is aimed at trying to deal with those issues.

I have no qualms in bringing what some people will consider difficult legislation into this House with the purpose of bringing about better outcomes for all concerned. 'All concerned' does not just mean the kids in the custodial system; it also means the people who work with them and the community as a whole. This legislation is about absence of ambiguity and an increase in certainty as far as is practically possible.

It is not difficult. Russell Goldflam understands it. When I saw him he said he understood what I was trying to achieve and I gave the bloke a hug. It was nice to know that somebody was prepared to deal the issue I was trying to deal with rather than automatically taking a position.

In the case of Priscilla Collins, it is the usual default position we have just heard from the member for Nhulunbuy. I understand that and accept all the arguments, but the real and actual practicality is that the social organs the member for Nhulunbuy, Ms Collins and so many other people in this space say government should pull can only be pulled so far, unless you start intruding into other people's liberties, including the taxpayers who have to fund these services to the people who break into their homes.

We are stuck in a situation where we must manage as best we can under the circumstances, and that is what we do. This bill is about managing those issues. If all the victims of crime who have had these kids in their houses were listening to some of the arguments run by those opposite, I wonder what they would have to say to them. Sit in their lounge room – you invite us to speak to people who are affected by our decisions, but what about members of the Labor Party listening to the people who are affected by the crimes committed, and who then have to pay tax to keep these criminals incarcerated. They are hit twice. We do the best we can under the circumstances.

I think I have attended to most of the questions from members in this House. My ministry will remain with an open door for any member of parliament who wants briefings, further information or, for that matter, to check on how any legislation is tracking in its practical outcomes.

I am happy to be accountable, but this is about making sure that those accountabilities are made clearer so it is safer for all concerned.

The Assembly divided.

Ayes 13

Mr Barrett
Mr Chandler
Mr Elferink

Noes 9

Ms Anderson
Ms Fyles
Mr Gunner

Mrs Finocchiaro
Mr Giles
Mr Higgins
Mr Kurrupuwu
Ms Lee
Mrs Price
Mr Styles
Mr Tollner
Mr Westra van Holthe
Mr Wood

Ms Lawrie
Mr McCarthy
Ms Manison
Ms Moss
Mr Vowles
Ms Walker

Motion agreed to; bill read a second time.

Mr ELFERINK (Correctional Services) (by leave): Madam Speaker, I move that the bill now be read a third time.

Motion agreed to; bill read a third time.

**JUSTICE LEGISLATION AMENDMENT (DRUG OFFENCES) BILL
(Serial 166)**

Continued from 21 April 2016.

Ms WALKER (Nhulunbuy): Madam Speaker, I thank the minister for bringing this bill before the House, and his office for organising a briefing for me a couple of weeks ago with officers from the department. It was most informative.

I understand, as per the explanatory statement accompanying the bill, that:

The purpose of the Justice Legislation Amendment (Drug Offences) Bill 2016 is to ensure that the Misuse of Drugs Act contains relevant, up to date terminology and definitions, consistent with other Australian jurisdictions and current drafting practice. The Bill will also ensure that offences and penalties are proportionate to the relevant criminal conduct.

The Bill will also amend all offences in the Misuse of Drugs Act and Misuse of Drugs Regulations so that they comply with the principles of criminal responsibility in Part IIAA of the Criminal Code. In doing so, a number of evidentiary provisions of the Misuse of Drugs Act are also amended.

The opposition recognises the damage that illicit drugs can do, the damage to individuals who consume them, the collateral damage to their families and friends, and the incredibly negative impact on our community and the Territory, which results from the insidious criminal activity that arises from the manufacturing and distribution of harmful drugs in our society not just here, but around the country.

It is the role of any government worth its salt to ensure steps are taken to combat the consumption of illicit drugs and that an effective legislative framework is in place to combat and deter those who seek to gain and profit from the manufacture and supply of drugs.

It is, without doubt, a growing problem around the country, more so with the manufacturing of synthetic drugs like ice, which is insidious, highly addictive and highly destructive to those who consume it and those around them.

The opposition was a willing participant in the select committee which inquired into ice use in the Northern Territory. The member for Casuarina was a very active member of that committee, which saw its report, *Breaking the Ice*, tabled in this House in November last year.

The Justice Legislation Amendment (Drug Offences) Bill provides for a number of changes, and the minister's second reading speech summarised the amendments into six main areas of concern. First is the need to contemporise definitions, including 'drug analogue' in line with the Commonwealth committee on drugs, which drafted a national uniform definition which was agreed to by all jurisdictions in 2014. Section 4B outlines the definition of 'drug analogue' which would make more sense to a chemistry PhD graduate than me, but within legislation I understand it is important to be very clear in the eyes of the law. There are other definitions clarified within the context of the bill in section 3.

The minister's second reading speech also identifies offences involving children as a major concern, and rightly so. The bill increases offences involving children, including instances of children living on premises where drugs are manufactured or cultivated, and where children are used by family members to supply drugs. The bill creates provisions for an aggravated penalty if a child is present or procured to commit an offence.

Another area of concern that the minister seeks to address in this bill is the increase in the possession of weapons by offenders who use them for protection and intimidation, hence an increase in the execution of what are described as 'high-risk warrants' by police. Unlawful possession of a firearm or weapon is an aggravating feature of drug offending; therefore it should be an aggravating circumstance for the purpose of sentencing.

It is good to see that a recommendation of the Ice Select Committee has been taken up in this bill in addressing concerns that have been around for many years about the availability of drug paraphernalia. Section 15 the bill prohibits the

supply or display of drug paraphernalia, including cocaine kits, water pipes or ice pipes, in a bid to reduce the availability of the means to consume drugs and exposure to young people who may be tempted to experiment.

The sixth main area of concern, according to the minister's second reading speech, is the matter of cost and benefit. Those who choose to engage in drug manufacture and supply are prepared to do so for often very significant financial gain, which would outweigh any risk they are prepared to take in breaking the law.

The bill increases penalties and prison terms as a deterrent, on the premise that those who engage in drug manufacture and supply are doing so because the risk is outweighed by financial gain. Within these penalties the bill also includes an amendment to the *Sentencing Act*, which prescribes minimum non-parole periods for certain drug offences.

The opposition understands the need for this raft of amendments, and from my contact with legal stakeholders it seems they do as well. However, the matter of penalty increases and a consequential amendment to the *Sentencing Act* have been raised with the opposition, and NAAJA, CAALAS and the Criminal Lawyers Association of the Northern Territory have provided submissions to the agency in response to this bill, indicating their support for most elements of the bill but flagging concerns around the increase in penalties.

During my briefing in the minister's office I was advised that changes to penalties were about establishing consistency and addressing disparity between penalties in the *Misuse of Drugs Act* and the *Justice Legislation Amendment Act 2010*. These various amendments around penalties are clearly laid out in the minister's second reading speech and I do not need to revisit those. I want to raise the concerns of legal stakeholders, which rests upon the premise that – I quote from the joint submission from NAAJA and CAALAS. 'Financial penalties are purely a punitive measure and in isolation do not address the underlying causes of offending behaviour or reduce the likelihood of it occurring again.'

On the subject of increasing penalties of imprisonment, legal stakeholders I have been in contact with assert there is no evidence that increasing prison terms is an effective deterrent. I was advised during my recent briefing that the increases in penalties of imprisonment really only apply to serious drug traffickers dealing in commercial quantities. Is that the case? As I look back over my notes from that briefing I realise it sounds a bit vague. It begs the question as to where these penalties leave drug addicts, people

caught in a cycle of offending to feed an addiction, driven by fear of the consequences of not finding the money to get their next hit and pay their dealer.

The submissions also raise objections to the amendment to the *Sentencing Act* whereby:

... persons found guilty of a serious drug offence to serve a minimum of 70% of their sentence in prison, before being released on parole.

This has created a few ripples through the legal and judiciary circles, likening this amendment to mandatory sentencing laws with the view that it represents a further undermining of the independence of the judiciary and the exercise of judicial discretion. The CLANT submission states:

The Sentencing Act, together with a substantial body of common law, require judges to have regard to a broad range of factors, and to apply a well-established set of principles when fixing both a head sentence and a non-parole period. There is no need or reason to change or limit the existing law in this regard. If, as is claimed, a purpose of this Bill is to harmonise Northern Territory law with Federal law in relation to drug offences, then if anything the law with respect to the fixing of non-parole periods should be relaxed, to bring Northern Territory into line with the provisions of Part IB Division 4 of the Crimes Act 1914 (Cth). As has often been stated, 'prescribed minimum mandatory sentences are the very antithesis of just sentences'. Similarly, prescribed minimum non-parole periods can also be antithetical to just sentencing.

Interestingly, of the 13 recommendations raised in the Ice Select Committee's report tabled in this parliament late last year, increasing penalties to deter offenders was not one of the recommendations. Of course, there must be financial penalties and penalties of imprisonment for people who break the law or are engaged in manufacturing and supplying harmful illicit drugs. There must be punitive consequences, but it needs to be balanced with a preventative strategy to fight the war on drugs.

It is a great shame that government has responded by not actively adopting more of the recommendations of the ice report, entitled *Breaking the Ice*. It has been a characteristic of this term of parliament that bipartisan committees consult, conduct public hearings, invite submissions, take the evidence provided in public hearings, and provide robust reports and recommendations to the government about how

issue X or Y might be tackled, only to find that the reports have been shelved and not revisited, and recommendations have not been taken up.

That is true of the FASD report, the report into youth suicide in the Territory and, to a degree, the *Breaking the Ice* report. It was a bipartisan committee of the parliament and it tabled its report based on 37 submissions from a wide range of stakeholders, where more than 80 individuals and organisations appeared and gave evidence at public hearings around the Territory.

As I acknowledged earlier, the bill before us takes up the report's recommendation to prohibit the display and sale of drug paraphernalia. That is a positive, but I suggest that there are other good recommendations in that report.

The report and recommendations offer some good strategies and actions that governments could use to address not only ice usage, but other substance misuse, from education programs to audits of available services, and resourcing of agencies to capture data. Without that, it is difficult to devise a strategy that will assist in combatting the scourge of ice through prevention.

The insidious nature of illicit drugs and the terrible impact on those caught up in the web of manufacturers and suppliers of drugs calls for all jurisdictions around the country to find solutions. This bill goes some way to addressing the issues, but whether we will see a reduction in offending as a result of this bill and the increase in penalties – financial and imprisonment – remains to be seen.

Mr WOOD (Nelson): Madam Speaker, I support this bill. I thank the member for Nhulunbuy as she always gives a thorough analysis.

She also reminded me of the report. One of the concerns of the members of the Ice Select Committee was that there was too much emphasis on the facilities being used for drug rehabilitation for prisoners and the possible lack of facilities in the prison to help people with ice addictions. Some people were sent to Banyan House from the prison – I am not saying that is a bad thing – and I recall a discussion about that with the Ice Select Committee.

I am interested to know what programs there are to help to get people off ice and other drugs. Today is about the punitive side of the debate, which we naturally need, and the changes, which I think are important to show a different point of view.

I thank the department for its briefing. It is a fairly heavy going piece of legislation, so thankfully the second reading was fairly clear. It repeats itself a

couple of times, but, be that as it may, it has all the information we need.

We look at the definition of 'drug analogue'. My understanding from the briefing was that this is to do with synthetic drugs which can have slight changes that cannot always be detected, so you need to make sure all possibilities are covered. That is why the phrase 'drug analogue' has been included in the act. It says:

The ad hoc nature of the definition of 'analogue drug' (being a chemical variation of another substance) across Australian jurisdictions has resulted in certain compounds being captured by some jurisdictions and not by others. The Intergovernmental Committee on Drugs has drafted a national uniform definition which was agreed to by all jurisdictions in 2014 and will be adopted by the Northern Territory in this bill.

It also mentions that the definition of 'manufacture' is also amended so it is consistent with the Criminal Code and other jurisdictions.

The other thing, which comes up a number of times and is important, is the cultivation of a prohibited plant in the presence of a child. The minister is also the Minister for Children and Families – I hope I got it right; I always get the Commonwealth and the Territory mixed up.

Mr Elferink: I call it Child Protection because that is what it is.

Mr WOOD: I am interested in what the process is. Obviously you are creating an offence where a child is present. How does that fit in with the issue of care of the child? Is the child taken away from the parent?

Mr Elferink: Can be.

Mr WOOD: Can be. So you might give us an idea of what the process is there. I am not necessarily saying the child should be taken away because that can sometimes cause more harm than good, but I am interested to see the interrelationship between the two departments.

The manufacturing of a dangerous drug in the presence of a child is probably a bit more serious. Someone growing a bit of ganja out the back is not quite the same as getting the old chemical factory going in the garage. Obviously that is a more serious offence.

The member for Blain raised drug paraphernalia offences a number of times in the Ice Select Committee. Many of us wonder why you can see this drug paraphernalia, usually at the smokes

shop, and wonder what that has to do with Benson and Hedges or Collingwood Football Club merchandise, because that is about the only other thing they sell. They sell this wonderful paraphernalia, probably high-class pottery. The problem, as some of us said, is it promotes the use of illegal substances. There has been a change in the act which means those things will not be able to be displayed.

Naturally, businesses will be given time to dispose of them because they cannot get rid of them straight away. An opt-out provision has been included in the definition of a shop or a stall to allow for certain premises to be excluded. It is necessary so legislation can cater for a situation where certain drugs are legalised. If cannabis is ever legalised as medicine there will be exemptions.

The next area is the aggravated penalty for the possession of a weapon. The bill amends section 37(1) to prescribe the actual possession of a firearm, ammunition and an offensive, prohibited or controlled weapon as a circumstance of aggravation for the purpose of sentencing. It adds a bigger penalty if you are involved with drugs and possess a gun. If the gun is somewhere else you will not necessarily be charged; you have to be in actual possession of it. The minister might correct me.

The next area is the aggravated penalty for procuring a child to commit an offence. That would be a serious act, and it would be interesting to know what would happen to the child under the age of 14 used to commit an offence. You could be using them as a courier. It is inappropriate for an adult, even worse if it was a parent.

New section 38 provides that a person who procures someone else to engage in a criminal offence is guilty of the offence as if they had committed it. If they get someone else to do it, they are charged with the same offence.

The next area is about increases to the maximum penalties. I am not sure it will make a difference. The judge must still work out the circumstances of the crime and make a judgement according to them.

In the next section there will be a requirement for persons found guilty of serious drug offences to serve a minimum of 70% of their sentence in prison before they are released on parole. I suppose that will always be an issue, but it does not stop the judge suspending the sentence. Whether that undermines the judge's ability to have more control over the sentence, especially in relation to the circumstances, I am not sure. It can sound good but in practice does it diminish the role of the magistrate or judge?

Do we call them judges now, not magistrates? I like 'magistrate'. Judges are the high-up people; magistrates are a bit lower. But we have had that argument here before.

I passed the section that introduces updates to the compounds in Schedule 2, and there are other transitional provisions. I will read from the second reading:

To conclude, the Justice Legislation Amendment (Drug Offences) Bill 2016 will address a number of deficiencies in the Misuse of Drugs Act and will ensure the punishment for those who engage in commercial drug operations significantly outweighs any benefit. Commercial drug operations will be shut down and offenders will be sent to prison.

Unfortunately there is no mention of chickens there. We have chickens at Banyan House, and they are most welcome there. While I say that partly jokingly – this is the punitive side of our legislation, but we must continue to try to help people. The problem, much of which is in the media, is that everyone is bad, so we lock them up and throw the key away. There are people who need to be locked up, but we always have to balance that with trying to give people a second, third or fourth chance.

When I visited a prison in Ohio – I might have said this before – I had six men sitting opposite me who all started giving me their background, where they came from and what their youth was like. Nearly all of them were from a broken family; mum and dad were split up or working all the time, or they were out late at night at a bar or something. Those kids started to experiment with alcohol or marijuana when they were 11 or 12. Each of them had nearly the same story. I wondered if there was a formula and how we could break it. It is not easy because, as many have said, you need early intervention. This is late intervention; this is after the offences have occurred.

We have to put money into early intervention. When the minister talks about the number of children in care, it is frightening in many ways that so many children do not have a good home. They might have a home with a carer, but they come from a home where either one or both parents did not care or they were abused. It is a sad reflection on our society. Many kids with that background – unless we can intervene early and give them a good education and get them into a loving home, that is what you will see happen, what I saw in Ohio. You will see people go down that path and it is very hard to change it.

I visited the West Central Community Correctional Facility in Marysville, Ohio. I will never forget it

because I got off the plane the day before, had never been overseas in my life, and walked into a staff meeting at the therapeutic centre there. We need to consider strong therapeutic methods for getting people off drugs. This facility had a 20% recidivism rate, which is pretty good. These people had all been to prison, not straight to the centre.

If you have been to prison and you come back, the judge says, 'We have a therapeutic centre; would you like to go to it? It's tough and you will have to sign that you volunteer to go. If you go there it will change your life.' It is not a normal prison, but one where all the other prisoners work together as brothers – this one is a male prison and further up the road is the women's correctional centre – where you have to do things with discipline. You have to put fences around your life. Many of the people we talk about who end up in our prison do not have any boundaries or fences and have not had to control what they do.

This therapeutic centre brings you back to having some control over your life, whether it is putting your shoes under the bed, making your bed in the morning or putting your jacket in the cupboard; I would not be good at some of that, I must admit.

It was trying to bring self-control back into people's lives while recognising that these are human beings. There were logos written all over the walls, such as, 'He is my brother'. There were all these positive things that prisoners had written there.

They had a session where if someone stepped out of line they were put in front of the entire centre. The residents sat around a table with their mates, supervised, and would tell him what a wonderful bloke he was. Then they went around the table again, saying what a so and so he was because of he was ruining someone's life and giving them a hard time.

That person, in front of all those people – and I saw two people do this – stood up and asked for forgiveness from their brothers. I was just about in tears. At the end of this session the facilitators came in and they worked through the problems. All the people around the table hugged these fellas. It was emotional and life changing for many of these people.

I saw them working down the street during the day. They were working with the council. One bloke had a job at a pizza shop. They told me the bloke in charge of the pizza shop was one of the worst fellas you could ever work for, but this guy worked for him.

They learnt to be polite and respectful, a lot of things that they had probably never done in their life. Many of them got their family back. One bloke wept in front of me and said. 'This is my last chance; I want my family back.' He had severe alcohol problems and was trying to change that.

I know that I have gone off topic a bit, minister, but I think it is important that if we debate such an important bill which is all about punishment – we need programs in place. They have to be innovative and implemented in ways that actually work.

I know you will not be the minister much longer. When Syd Stirling was in your seat I asked, 'Why not go there and have a look?' It may not be for every prisoner, but it was a way for prisoners to help themselves, lift themselves up, understand they have problems and be willing to say that they have problems. It was strict. The people who looked after them were wonderful people. They may have had a religious bent, but it was not a religious centre; it was a government-run centre. But those people who ran it did it because they wanted to change the lives of these people. They did not want them going back to prison.

I raise this as an example of what can be done because I do not want my support for this bill to be seen as me wanting people to be put in prison and locked up for good. I think we need to look at other programs. The minister has the Sentenced to a Job program, which is great stuff. I have visited both the Alice Springs and Holtze prisons recently, seeing all the industries at work and meeting people there, and it is great. There is possibly an alternative, which is a different way of doing things. I do not think you are in the centre for more than 12 months; it is fairly restricted. Make a major mistake, like trying to escape – and it is not that hard to escape because it is not overly secure – and you are back in the big prison. I put that forward as one of the options the Northern Territory government should look at.

Madam Speaker, I support the bill with the proviso that balancing it is a continuation and improvement in programs that will help people, especially those with drug addiction.

Mr ELFERINK (Attorney-General and Justice):

Madam Speaker, I will start where the member for Nelson finished. There is no intention to reduce – and we do quite well. It is more than just the program. I am very attracted to some of the stuff you are talking about, such as the boot camp that we introduced for kids, which works well. There were some pretty good responses out of that.

I am working very closely with the courts to introduce the HOPE system, which I looked at in Hawaii on my very famous trip. I sat in Judge Alm's court for a day and watched him do what he

did there. You have to admire a judge who can deal with some 40 or 50 parole breaches in the space of about three hours. It demonstrates the perfunctory nature of the way he went about his business. There is no doubt that the bloke gave a rat's arse about the people in front of him. You would have to go a long way to find a more genuine man, but he was no fool. He was not blindsided by any of the BS that was served up by the people who appeared before him.

I have always been attracted to that notion of firmness, but with compassion. Compassion has overwhelmed that notion that we still demand things of people. Nearly every response is just a compassionate response. That has the capacity to turn us into state-sponsored enablers, and I will not support a system that does not place the consequences and responsibility for conduct firmly into the lap of the person who is engaged in that conduct.

There comes a point in a person's life that organisations like Alcoholics Anonymous use the term 'the rock-bottom principle'. A person gets to a point where the walls have closed in on them so profoundly that they have no choice; perhaps they can go to gaol, go insane, die or finally turn around and do something about their life, which are the types of things you are talking about.

Organisations which include 12-step programs – their steps are laced deeply with religious language. I do not necessarily blanch at the idea of a religious component to a therapeutic program. It does not cause me any grief, as long as it is not a crusade. There is a place for it. You are talking about not only a mental and ethical renewal, but possibly a spiritual renewal through that process. I know exactly what you are talking about, member for Nelson. I have always encouraged that. It is the basis of Sentenced to a Job – getting a person to wake up to themselves. It is not saying you are a victim; it is saying that even if you are a victim you can make better choices. We do not do enough of that. We spend a lot of time saying people are victims. I get that. People are victims. Life is not fair. Life has not been fair to every person in this room. Life serves up crap from time to time. The measure of a person is not whether their life is fair, but how they respond to it.

Recently, God rest his soul, Phil Kerr passed away. He had a motorcycle accident at Bagot Park Speedway all those years ago. The first time I met Phil was when he serviced my car. People said he was a paraplegic, but he was actually a quadriplegic with very limited movement in his hands. If you went into his office in his workshop you could see he had strapped a little cradle to the back of his hand so he could pick up the phone with his non-functioning hand to answer the phone. He had sticky-taped a pen to the other

hand, which he used to hit the computer keys. If there was ever a person in the world who had the right to give up and say, 'I am over it; I am a victim. Life's crap', it was him.

Jol Fleming is another example, in Alice Springs. What is his response? 'I will run a business, employ a whole bunch of people and live the rest of my life as a productive member of the community. I am engaged.'

I look at people like that – I had another person come into my office and say he was totally and permanently incapacitated, yet he was walking around. This was years ago. I almost wanted to grab this guy by the scruff of the neck and say, 'Come to Phil Kerr's workshop and I will show you totally and permanently incapacitated, mate'.

I get frustrated that we are too happy to say to people across our community and society, 'You are a victim'. Yes, there are victims in the world. We are all victims in one way or another to some sort of malice or wickedness, but the measure of us is how we respond to it. That is what those programs try to achieve, and what I have been trying to achieve with Sentenced to a Job and the workshop stuff in the prison. I know you appreciate it, but I am always keen to make sure the responsibility is still accepted and embraced by the person being held responsible. That is what hope is about. The philosophy remains consistent through all these programs, so I am hearing you on that.

Thank you for your support; I appreciate it. I think you understand what I am trying to achieve in this space. I have no problem with any of the elements of this legislation because whilst the community expects us to respond to drugs and leave it in the criminal domain, we have to ramp it up, especially where kids are involved.

The member for Nelson asked a question in relation to kids in these environments. As a matter of policy when they are picked up these kids are reported to Central Intake. The Child Protection division then has a standard diagnostic tool – for lack of better words – where they step through the process of determining if a child is in need of care. The coppers make the reports. You only have to look at page 45 of the last annual report from the Children's Commissioner to see how aggressive the police are in reporting these matters to Central Intake.

Our notifications on Central Intake have gone through the roof almost exclusively because the police report so aggressively and assertively when they run into these problems. I am happy to take you through that chart because it clearly demonstrates that, over the last few years, police reporting would have gone up six fold in relation to

child protection matters. That is why they brought it in here. If they bust into a place and there are 58 000 cannabis plants and kids are sleeping in sleeping bags amongst them, I think child protection services may have a look at something like that. They can make the determination as to how good a parent these people are to their children.

I note the comments by the member for Nhulunbuy, and her reliance on CAALAS and NAAJA somewhat concerns me. The philosophy issue can be captured in this line, 'CAALAS and NAAJA are opposed to the introduction of increased financial penalties. Financial penalties are a purely punitive measure' Yes, they are. That is the idea of punishment. We seek to punish people in financial terms. We also throw them in gaol. I have no problem with that. I have no problem with punishing people who break the law, nor should the courts.

Here is the next standard line, '... and in isolation do not address the underlying causes of offending behaviour or reduce the likelihood of it occurring again'.

Once again it is the underlying cause of offending behaviour which rests in the heart and soul of every individual who chooses to offend. If they choose not to offend they are not an offender and do not have the requisite *mens rea*. It comes back to what I said before; the notion is very straightforward and very simple. If you live a life and make choices, you are accountable for those choices. That is the starting point. I understand circumstances in people's lives which may cause them to make bad choices or may be an influencing factor, but at the very fundamental core of my personal and political philosophy is a simple notion that we live in a free society, and as free people we exercise that freedom through the one most obvious vehicle available to us: our ability to make choices.

I do not warm to the philosophies of Spinoza and others, who would argue that we are not conscious beings or capable of making rational choices. I do not agree that is the case. We are capable of making choices, and when we make those choices we are either rewarded with the benefit of the choice or answer with responsibility to the adverse outcomes of the choice. Ultimately we, as a community, must embrace the notion that the individual can be held responsible.

If you read the underlying causes of the offending behaviour argument, what permeates is this perpetual argument that we are somehow, as a society, responsible for the choices people make. I cannot subscribe to that world view. It is the world view the Labor people subscribe to. If CAALAS and NAAJA are the only sources of legal

advice the Labor Party thinks are suitable going forward, all I can say is God help the criminal justice system of the Northern Territory.

Labor will introduce a system of blaming everybody except the offender, especially the victim who holds them accountable for having audacity to have the property in the first place. If they did not own the car it would not be stolen; that is what underlines that rationale. I find it unconscionable, which is why I have my political philosophies and sit on this side of the House.

Having made those observations, I thank members for their time. I note that, as usual, the member for Nhulunbuy has covered the field comprehensively. She clearly paid attention to her research and I acknowledge her for that. Equally so with the member for Nelson, who has also made substantial efforts in ensuring he is briefed, and comprehensively and cogently arguing his position here today.

Having made those observations, I think there is no point in delaying this legislation and I look forward to it becoming a law of the Northern Territory.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

**JUSTICE AND OTHER LEGISLATION
AMENDMENT (RECORDS OF DEPOSITIONS
AND OTHER MATTERS) BILL
(Serial 159)**

Continued from 20 April 2016.

Ms WALKER (Nhulunbuy): Madam Speaker, people can feel assured that I will probably be on my feet for no more than one minute. I am sorry to the agency officers who have had to stay out late this evening. As a matter of course you would be here regardless.

We have no issues with this bill and we support it. I thank the minister for the briefing in his office a couple of weeks ago and I understand the enormous body of work that has been undertaken with the significant reforms associated with the Local Court. As a result of the creation of the new Local Court there was something like 158 acts that had to be amended. This is one of them, and possibly one of the very last ones. Essentially, the old Record of Depositions Act, which is redundant, commenced operation in 1970. It is old, out of date and redundant. It is to do with the recording of evidence in court.

Technology has moved an awfully long way since 1970, so our courts, as with the *Hansard*, are reliant upon digital technology. It is redundant, but in repealing it I understand that this Justice and Other Legislation Amendment (Records of Depositions and Other Matters) Bill makes sure, through these amendments, that the requirements and provisions in relation to the administration of court records remain.

I can always tell when the minister has had a hand in writing his own second reading speech when I read things like, 'I know many members have been awake at night worrying about these issues, as they have been thinking about them in this House'. I can assure the Attorney-General, I certainly have not been awake at night worrying about this. He is quite right when he said in his second reading speech at the end, 'It is not necessarily politically sexy'. It is certainly not, but it is technical legislation that needs to be in place.

Madam Speaker, as I said, we support it.

Mr WOOD (Nelson): Madam Speaker, I am a bit worried; I like writing. I used to have one of those great big reel-to-reel tapes. They were the days.

I will not talk long on this either. Obviously life has moved on in the courts. I do not know whether people know this, but Steele Rudd wrote *Dad and Dave*. Steele Rudd was one of the fellows who sat there, typing away what happened in parliament. That is where he got his stories about Dad going to parliament. I digress a bit, but I remember Dad was in an argument with one of the people in government, and he called him 'the member for fill him up again'. I always remember that, but I have never had a chance to use it in parliament.

Be that as it may, this is reflecting new technology and is important. The only question I have is where the words 'Local Court' appear – we have an NTCAT now. Is there any crossover legislation that might have occurred with NTCAT and the Local Court?

Otherwise, I do not have any problem with the legislation, but it gave me the opportunity to talk about one of my favourite characters, Steele Rudd.

Mr ELFERINK (Attorney-General and Justice): Madam Speaker, this bill is the reason I am retiring from politics. I got into politics 19 years ago with the express intent of bringing this bill to the House and making sure the depositions legislation of the Northern Territory reflected common practice. Mission accomplished.

In truth, I had nothing to do with this legislation. It was brought to my attention as being necessary,

and the answer is yes; it is necessary. We have to bring the legislation into the modern world.

I have one partial answer to your question in relation to NTCAT, member for Nelson. There are minor crossovers in very remote areas. A classic example is the small claims jurisdiction. Where the small claim attracts the notion of an equitable principle, it is beyond the boundaries and powers of NTCAT to deal with the equitable resolution. If you have a breach of contract which requires something like specific performance, which is an equitable principle, you will find that the equitable principle can only be dealt with in the Local Court and that the NTCAT will not hear the matter. I hope that shines the light on this issue for you.

Having made those observations, I thank the staff from the department for staying out until 11 pm. I am always remiss in not thanking them. I do not intend to diminish their work by saying this stuff is not politically sexy, but it is the truth of it. It is very functional, important legislation which the staff very carefully attend to, and I thank them for their attentions and ministrations, but I suspect this will not be the front page of tomorrow's *NT News*.

I think we are in agreement. I do not have to add anything to it.

Motion agreed to; bill read a second time.

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

Motion agreed to; bill read a third time.

TABLED PAPER **Ombudsman NT Report – Bills, Bills, Bills**

Mr GILES (Chief Minister): Madam Speaker, I table the Ombudsman NT Report entitled *Bills, Bills, Bills*, pursuant to section 154(2) of the *Ombudsman Act*. The report examined the relationship between Power and Water Corporation and the Bagot Community, specifically, PWC's billing and payment process with individual households in the community and PWC's approach to managing debts with the Bagot Community. Before I address the report's findings and recommendations it is important to note the service delivery context in the Bagot Community. Bagot Community is one of 43 town camps across the Northern Territory that receives a funding contribution from the NT government.

There are 25 different entities holding the leases over 40 of these town camps. The remaining three are situated on Aboriginal land pursuant to the *Aboriginal Land Rights (Northern Territory) Act*. The town camps are provided under leases that are granted through four different types of

tenure. While the title takes the form of a lease, it is akin to a grant of ownership. There are five different pieces of legislation that govern the four tenure types. Further, there are two different pieces of legislation that relate to the establishment and management of the entities that hold the tenure.

The Northern Territory government must navigate through the web of Commonwealth and Northern Territory legislation and get the consent of the land owners before it can do anything on these privately-owned areas. The complexity and challenges of delivering essential services to town camps across the Northern Territory should not be underestimated.

I now return to the report. The report concluded with six recommendations. I will address the substantive recommendations. The first recommendation in the report is that Power and Water Corporation, which I will refer to as PWC, takes reasonable steps to reconcile water payments made by individual households and credit or reimburse any overpayments. I can advise that PWC has reached out to Bagot Community Incorporated to commence the reconciliation process. I urge all parties to complete this task as a matter of urgency so the money can go back into the pockets of those affected individuals.

The second and third recommendations relate to putting in place a process that facilitates the payments by individual households in the community. In principle, the government supports individual billing. The residents of Bagot Community should be aware of how much water they are using and the cost of the water they use. Nevertheless, there are a number of important factors that would need to be addressed before individual billing could be implemented in the Bagot community and other town camps. These include the roles and responsibilities of stakeholders, infrastructure requirements, governance and legislation.

The final recommendation I want to raise in this Assembly is that PWC reviews its approach to the management of debt owed by Indigenous communities. The report highlighted concerns about the level of debt owed by Bagot Community Incorporated, which has been allowed to accumulate over time. The current debt level is a significant financial burden on the community. There should be an obligation on the part of PWC to proactively manage debt owed by Bagot Community Incorporated so it does not meet such unsustainable levels.

On the other hand, Bagot Community Incorporated must take responsibility for paying its

water bills. It is not everybody else's problem when Bagot cannot get its act together.

The normal course of action available to PWC for non-payment of a water bill is to restrict the water supply. In the case of Bagot Community, water supply could only be restricted at the community level and not individual households. The consequence of such an action must be weighed against the social and health impacts on the community. Further, it would unfairly disadvantage individuals who are up to date with their water charges.

PWC has increased engagement with the representatives of the town camps to discuss debt management approaches and a way forward.

The two key themes from the report are the complex arrangements in place in relation to the delivery of services on town camps and the need for greater engagement and consultation. This reinforces the government's decision to undertake a comprehensive and inclusive review of town camps in the Northern Territory with the aim of delivering better services. The aim of the town camp review is to find new opportunities to improve living conditions on these communities.

The key areas to be considered in the review include lease arrangements, infrastructure, service delivery, housing legislation and capacity for local organisations to be engaged in the economy. Importantly, the review recognises that a one-shoe-fits-all model will not work for all town camps. Rather, the review will develop place-based approaches specific to each individual town camp.

Expressions of interest for the town camp review closed on 23 May 2016. It is anticipated that the review will be finalised by December 2016. Many of the issues to be considered in the review overlap with those raised in this report.

For this reason, I have asked the Department of Local Government and Community Services, which is coordinating the review, to include considerations of the report's findings and recommendations in the town camp review.

I commend the report to the Legislative Assembly.

TABLED PAPER **Remuneration Tribunal Determinations**

Mr GILES (Chief Minister): Madam Speaker, I advise the House that I have made two determinations under section 5 of the *Assembly Members and Statutory Officer (Remuneration and Other Entitlements) Act*. These determinations relate to entitlements of Assembly

members for which no determination has been made by the Remuneration Tribunal.

The first of these determinations provides for additional salary of office for the Deputy Leader of the Opposition equivalent to 30% of basic salary to apply, backdated from 1 January 2016. This rectifies an omission in the Remuneration Tribunal Determination No 1 of 2015. I have to say, it brought about some conjecture seeing as the Deputy Leader of the Opposition was so keen to fight these changes in the first place.

The second determination sets the value of the entitlement for a retiring Assembly member at the equivalent of one month's basic salary for each year served in the Assembly with a minimum entitlement of the equivalent of four months' basic salary and a maximum entitlement of the equivalent of 12 months' basic salary.

As required under section 5 of the act, I sought the written advice of the Remuneration Tribunal prior to making these determinations and the tribunal supported both proposals.

I now table the two determinations along with the copy of the Remuneration Tribunal's advice, as required by section 5(3) of the act.

ADJOURNMENT

Mr GILES (Chief Minister): Madam Speaker, I move that the Assembly do now adjourn.

Earlier today, at a press conference, I was promoting the successful, well celebrated and well heralded \$2000 tradie or tooly voucher that we have put out across the Northern Territory to some 10 000 homes – a voucher system that Labor would close down for its desire to support overseas products. I was asked a question by a member of the media fraternity from the ABC about some comments by the representative of the Chamber of Commerce, Ms Kay Eade, in regard to funding for the Alice Springs Women's Shelter.

I have been to media conferences before where people have been misquoted. It is easy to see the wrong side of something that has been misquoted. I asked for some clarity and was given word-for-word advice about the quote Ms Kay Eade had made. I do not have the exact words in front of me, but it was something like, 'The \$100 000 offer to the Alice Springs Women's Shelter was a slap in the face'. I then provided commentary which suggested that the Chamber of Commerce in Alice Springs should find a replacement representative, and I went on to explain why.

Following that conversation being released in the media, I rang Ms Kay Eade and told her what I

had said to the media, that I thought they should replace her. I explained that it was on the back of the funding for the Alice Springs Women's Shelter in Central Australia. I have since learnt that she has said she was not aware of all the background behind the funding and support for the women's shelter.

Nonetheless, I extend my heartfelt thanks to Kay and all that she does, supporting business in Central Australia and across the Territory. While you can never take back what you have said, I put my apology out there for Kay.

I want to make one thing clear. The Alice Springs Women's Shelter is a tenanted business, supplied by the Department of Housing as an industry house. There is no rent raised by the government. It is a substantial in-kind benefit for the shelter. The shelter provides relief and respite for women and children fleeing circumstances of domestic violence. I have had the opportunity of visiting the shelter and meeting representation from leadership of the shelter a number of times over the last few months since being afforded the opportunity to visit.

Within the budget released on Tuesday there was an announcement of \$6.7m for further implementation of Safety is Everyone's Right in reducing domestic violence as a strategy across the Northern Territory. It is the first time there has been a comprehensive domestic violence strategy in the Northern Territory. Since coming to government and reducing alcohol consumption on a wholesale basis, domestic violence has reduced.

Out of the budget, there is \$1.8m going towards supporting the Alice Springs Women's Shelter. That \$1.8m continues the operation of domestic violence outreach services in Alice Springs and surrounding town camps for a further 12 months, and establishes a critical intervention outreach service to Hermannsburg, Koolpinyah, Ti Tree and Yuendumu. These are great services, which I support. Domestic violence is a scourge on society.

I must say, \$1.8m is not a slap in the face. The total cost of recently provided new fencing for the Alice Springs Women's Shelter was \$337 051 – not really a slap in the face.

This additional funding had been provided by the Department of the Chief Minister, of which I have guidance, under the Alice Springs Transformation Plan. The \$337 000 as an additional resource provided for the fence provides much-needed security for the establishment. I do not think that was a slap in the face.

After my visits there, after being invited for the first time ever, I have determined that a new facility needs to be built. I have made this quite clear to the head of the operation there, Ms Dianne Gippy, who I used to work with many years ago. I made a commitment to Dianne that I would seek to get some planning dollars to design a new women's shelter for Alice Springs and Central Australia, and to identify a new site on which it can be built. I do not think that was a slap in the face either.

As part of that I have said that we will not be able to build it in five minutes. I offered to put to budget Cabinet to identify some funds so that we could tidy the place up while we sought to plan and build a new facility. I suggested \$100 000 may be beneficial for a coat of paint, to fix some plumbing, electrical works and to generally have a bit of a tidy up so it is a higher-level amenity to women fleeing violence. I did not think that was a slap in the face either.

We provided \$100 000 in the budget – it has been announced – and for these reasons there was some commentary provided through ABC in Alice Springs asking if \$100 000 was enough. I do not expect the ABC to take into account the \$1.8m we provide for the Alice Springs Women's Shelter, the \$370 000 additional money that we gave for the fence or the \$100 000 for a lick of paint and a tidy up in a time of need, while the Chief Minister is personally helping with the planning exercise of building a new facility. I would not have expected that.

I have also offered to support the women's shelter with 1-3 Bloomfield Street, which is former government employee housing, as there is currently a proposal open for utilisation through a tender process for a body or organisation, individual or otherwise, to come forward to see how they can best utilise 22 two-bedroom units, possibly by being used for supported accommodation. I have encouraged the women's shelter to apply and said I would support that. I do not think that is a slap in the face either.

While you do not take these things personally or take umbrage at people saying you have not helped them out, what I have just outlined demonstrates the type of support we are giving the Alice Springs Women's Shelter.

I will not talk about why the Alice Springs Women's Shelter costs double what DAWS or Dawn House charge, or why Alice Springs administration costs are so high. I am not getting into that. I want to make sure we provide a correct and sustainable level of service to women seeking refuge in Central Australia, of which 5.1% come from South Australia and 11.6% from Western Australia to seek refuge – for the data analysis of people receiving services there.

It is a great service even though they have given the government a slap down for giving them extra money and trying to help them. I understand how politics works, but I will continue to support women who flee domestic violence and, wherever possible, I will try to put money towards those services. Domestic violence is a scourge on society, the same as people who harm children in our community in any way, shape or form.

Mr BARRETT (Blain): Madam Speaker, I want to avail the House and the entire Northern Territory of a Giles government commitment to the development of AFL across the Territory.

AFL is part of all Territorian's DNA. It is in our make-up and ingrained in our culture. Whether you are a Carlton fan, like me, a Collingwood fan, a Hawk, Swan, Port or Crows fan, or if your allegiance is stretched across the Nullarbor to our West Coast and Freemantle colleagues, or east to the Lions' den, it is indisputable that AFL runs through the heart and soul of Territory sport.

The Country Liberal government recognises this indisputable fact, and also recognises the hugely exciting fact that women's participation rates in AFL football across the Northern Territory are experiencing high-octane, unforeseen growth. In the past 12 months alone women's direct participation in AFL has ballooned by 200%. That means last year 15 000 either played or had direct linkages to AFL in the Northern Territory.

Accurate predictions suggest that this figure could potentially double again within the next 12 to 18 months. That is remarkable growth and is, in turn, generating immense opportunity.

The Country Liberal government recognises this remarkable opportunity, which is why we announced \$2.3m to construct women's change rooms and essential facilities at TIO stadium in yesterday's budget.

Trailblazing women footballers like Sissy Dunn, Lauren Motlop – both members of Territory football royalty – along with Abbey Holmes, Ange Foley and Amy Chittick are setting the national AFL women's stage alight. I am delighted to announce that these women will lead the way when the Northern Territory – once this government's proposed partnership with the Adelaide Crows is finalised – fields an inaugural team in the new women's national AFL competition plan for 2017.

The Country Liberal government, in alignment with AFLNT, is unwavering in its commitment to provide the pathway for Territory women footballers to have their moments of glory on the biggest AFL grounds in this country as part as the Northern Territory's first ever women's national

side. That is planning for the future and providing real pathways to top-flight sport for Territory athletes.

Do not think for a minute that the Giles government has forgotten the forbears of Territory footballers' participation in AFL. Names like the aforementioned Motlop and Dunn, and Long and Rioli – men who for decades were forced to make their starts on dusty old beaten ovals across remote communities in an endeavour to chase their dreams of playing on hallowed grounds like the MCG. That is why this government has given its full support to developing and upgrading facilities for aspiring footballers across the most remote and far-flung communities – Katherine, Alice Springs, Tennant Creek and the surrounding remote communities.

It gives me great pleasure to announce that the Country Liberal government will fund the inaugural regional football interleague carnival starting as soon as next year. The regional football interleague carnival will source players from the existing regional competitions, the Big Rivers Football League, the Central Australian Football League and the Tiwi Islands Football League, as well as the Redtails and Pinktails, and harness them into an annual combined competition. These already well-established leagues have recently engaged with the AFL's biggest clubs, including Collingwood, Geelong, Hawthorn, Essendon and Melbourne, all of whom have talent development squads across the Northern Territory.

The carnival will, in alignment with the established Top End clubs like St Marys, Wanderers, Nightcliff, Palmerston, Southern Districts, Tiwi Islands and the Red Centre stalwarts like Pioneers, West, South and Federal will lay the footings and provide the infrastructure for a development program never seen before in the Northern Territory.

The Giles government has hatched a plan to harvest those treasure chests of rich talent and we have leveraged our relationship with the AFL to establish a true Territory-based league that will enable our best young footballing talent from across the entire Northern Territory, including the most remote regions, to play top-flight footy on first-class facilities.

The Country Liberal government is committed to developing AFL right across the Northern Territory. We have cemented the plan and the framework for the future of football. Now we look forward to seeing the next generations of footballers pursue their dreams, fulfil their potential and kick goals like never before in the history of the game we love.

Mrs PRICE (Stuart): Madam Speaker, I wish to point out that the members opposite cannot read a budget paper.

I refer to page 282 of Budget Paper No 3, which clearly states that the estimated number of new social housing dwellings to be built across the Territory is 76, two above the government's target.

Just for the benefit of the members opposite, 76 is 75 more than one. So far 60 new houses have been completed: seven in Warrawi; 14 in Minjilang; 13 in Milikapiti; and 26 in Galiwinku. In addition, by 30 June I expect 45 social housing leases to be delivered, taking the total number of new dwellings to 121 across the Territory. Just for the members opposite, that is 120 more than one.

This government has made an unprecedented commitment to our social housing future. There are currently a total of 9998 houses in the Territory's Public Housing portfolio. In remote communities, since coming to government, the Country Liberals have provided 478 new houses, 474 rebuilds and 888 upgrades. Just for the benefit of the members opposite, 478 is 477 more than one.

The government's latest remote housing funding agreement with the federal government will spend \$350m, building more than 380 new houses and upgrading more than 1000 others over the next two years. Through our efforts we will construct 150 new additional houses in remote communities, which will help reduce the overcrowding problem created by the previous Labor government. These houses would never have been built if Labor was still in government.

Unlike Labor, we have listened to what people want, and we are finding better and more efficient ways of delivering social housing. In urban areas so far this financial year, 556 dwellings have been put back into stock and 199 properties are in the upgrade pipeline.

Since I became Minister for Housing, this government has cut the turnaround times from 98 days last financial year to 74 days this financial year. In that time we have launched the new social housing head lease initiative. As I pointed out earlier, this has delivered 30 new additional social housing dwellings across the Territory, with another 15 expected to be delivered by the end of June.

Due to our hard work we have seen a 5% reduction in the waiting list this financial year. At 31 March 2016 the waiting list was 3280, which is 441 fewer than at the same time last year. This came about even though we were redeveloping the infamous Kurringal Flats which, when completed, will rid the Territory of a nest of

antisocial behaviour and replace it with 80 modern, affordable apartments.

All in all, this government has so far delivered to the Territory 1184 affordable housing dwellings since coming to office. There are 359 expected to be delivered this financial year and another 450 are on their way.

Madam Speaker, the members opposite can try to knock the efforts of this government, but the fact remains, more houses, lower waiting lists, reduced turnaround times and affordable housing are being delivered.

Motion agreed to; the Assembly adjourned.